

EXHIBIT A

Page 1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF GEORGIA
3 ATLANTA DIVISION
4 ELSA FLORES DIAZ and)
5 EDWIN MEDRANO CACERES, for)
6 themselves and on behalf of)
7 their minor children E.M.F.,)
8 V.M.F., B.M.F., and H.M.F.,)
9)
10 Plaintiffs,)
11)
12 vs.) No. 1:21-cv-03661-ELR
13)
14 THE PARTNERSHIP, INC.,)
15)
16 Defendant.)
17
18

14 ORAL DEPOSITION OF
15 BRUCE JACOBS
16 AUGUST 11, 2022
17

18
19 On the 11th day of August, 2022, at 9:05 a.m.,
20 the oral deposition of the above-named witness was
21 taken at the instance of the Plaintiffs, before
22 Michelle L. Munroe, Certified Shorthand Reporter in
23 and for the State of Texas, at Regus, 825 Watters
24 Creek Boulevard, Suite 250, Allen, Texas, pursuant to
25 Notice and the agreement hereinafter set forth.

Page 2

1 A P P E A R A N C E S

2

FOR THE PLAINTIFFS:

3

Mr. Aaron K. Block (via Zoom)
THE BLOCK FIRM LLC
309 East Paces Ferry Road
Suite 400
Atlanta, Georgia 30305
404.997.8419 telephone
aaron@blockfirmllc.com

4

5

FOR THE DEFENDANT:

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Page 3

1

I N D E X

2

WITNESS

PAGE

3

BRUCE JACOBS

4

Examination by Mr. Block..... 4

5

DEPOSITION EXHIBITS

IDENTIFIED

6

Exhibit 1 Subpoena response..... 31

7

Exhibit 2 Handwritten notes..... 32

8

Exhibit 3 Police incident reports..... 56

9

Exhibit 4 June 27, 2022 expert report..... 63

10

Exhibit 5 Affidavit of Bruce A. Jacobs.... 186

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Page 4

1 P R O C E E D I N G S

2 BRUCE JACOBS,

3 having been first duly sworn, testified as follows:

4 EXAMINATION

5 BY MR. BLOCK:

6 Q. Good morning, Dr. Jacobs. My name is
7 Aaron Block and I represent the plaintiffs. And
8 unless you tell me differently, I think we can
9 dispense with the usual ground rules because you
10 have had your deposition taken a number of times.

11 Is that fair?

12 A. Yes.

13 Q. The one, I guess, pointer I would make
14 is -- has to do with nomenclature. We refer to the
15 plaintiffs as the Diaz family, and I think
16 internally the defense, at least some of the time,
17 refers to them as the Caceres family. And can we
18 just agree we're talking about the same people
19 whether it's Diaz or Caceres?

20 A. Sure.

21 Q. Okay. I'll almost exclusively if not
22 exclusively say Diaz. I just wanted to get that out
23 of the way.

24 Dr. Jacobs, the other actually pointer
25 would be sometimes on depositions, court reporters

Page 5

1 tell me that I speak a little too quickly. If I
2 speak too quickly for you or, Michelle, if I speak
3 too quickly for you, just tell me and I will try the
4 slow down. Okay?

5 A. Sure.

6 Q. Could you tell me Dr. Jacobs what you did
7 to prepare for your deposition this morning?

8 A. I just reviewed the entirety of the file
9 and reviewed my report. That's essentially what I
10 did.

11 Q. And could you tell me, Dr. Jacobs, a
12 little bit about your biography, your sort of
13 professional biography. I have obviously read your
14 CV, but just if you could tell me in your own
15 English words a little bit about your professional
16 biography, that would be helpful.

17 A. Sure.

18 I have a bachelor's degree from Duke
19 University, majored in history; got a master's
20 degree from University of Toledo, which is my
21 hometown school, in sociology with a specialization
22 in criminology; and I got a Ph.D. from the
23 University of Southern California in sociology,
24 again with a specialization in criminology.

25 In 1994, I was an assistant professor and

Page 6

1 associate professor with tenure at University of
2 Missouri, St. Louis, from, let's see, 1994 to 2003,
3 department of criminology. I moved to University of
4 Texas at Dallas in 2003 where I have been a tenured
5 faculty member since then.

6 I have, you know, published multiple
7 peer-reviewed articles, books on street crime and
8 violence. A lot of that is specified in my report.
9 I have done security analysis of hundreds of
10 properties around the country, retained or been --
11 retained or testified in hundreds of cases around
12 the country in the last 20 years on issues of crime
13 foreseeability, adequacy of crime prevention
14 measures, the functional limits of crime prevention,
15 deterrents, crime pattern analysis and so forth.

16 I guess that's the short and quick of it.

17 Q. Thank you.

18 I was intrigued by your time at UMSL --
19 which, for Michelle, that's U-M-S-L, which is how
20 people in St. Louis, where I'm from, refer to the
21 University of Missouri, St. Louis.

22 And a little bit of a detour, but my
23 recollection from the late '90s when I was in high
24 school was that UMSL sort of billed itself as having
25 a really strong program in criminology and sort

Page 7

1 of -- I'm using that term kind of loosely -- but
2 criminal justice as -- you know, when they would do
3 the, like, fairs to talk about schools, that's
4 actually -- that is really what stood out about UMSL
5 is that sort of consistent with your understanding,
6 it actually is a fairly strong program at UMSL in --
7 or was, anyway, in criminology?

8 A. Yeah, we were -- we were a top five
9 criminology department in the country. I think
10 they're still top five.

11 Q. Yeah. Yeah. That's cool. I hadn't
12 thought about that in a long time. But, anyway, I
13 was intrigued to see UMSL on your CV.

14 Have you, Dr. Jacobs, ever had any formal
15 employment in law enforcement?

16 A. Not formal, no.

17 Q. And have you ever had any formal
18 employment in providing security?

19 A. In terms of, like, being a security guard,
20 no.

21 Q. I think I saw in your CV that you have
22 gone on ride-alongs or otherwise sort of been
23 embedded, if you will, with law enforcement; is that
24 right?

25 A. I have done extensive field research over

Page 8

1 the years with law enforcement; drug busts, search
2 warrants, undercover buys, saturation patrol, drug
3 interdiction, gun interdiction, gang member field
4 interrogations. So I've done all that, but I have
5 not been a cop, no.

6 Q. Have you ever worked with any police
7 departments on crime prevention?

8 A. How do you mean?

9 Q. Well, it sounds like you're telling me
10 that your field work was sort of, you know, active;
11 riding along in the car, if you will, and going out
12 on operations.

13 And I'm wondering if you have ever worked
14 with law enforcement on the front end on things,
15 like, identifying patterns of crime or hot spots or
16 allocating police resources to prevent crime in the
17 first instance.

18 A. I have done that with private properties
19 and organizations but not with police departments.
20 I have done it based on police data but not for the
21 police department.

22 Q. And if I were to meet you socially today
23 and we were just talking and I asked you, hey, what
24 do you do for a living, how would you describe what
25 you do for a living?

Page 9

1 A. I would tell them I'm a criminologist,
2 that I teach, do research, and perform professional
3 service, and then I also provide what I would call
4 litigation support when I'm called by attorneys to
5 provide that to assess matters of negligent security
6 or allegations thereof.

7 Q. And if you could just estimate for me
8 these days, how much time do you spend on what I
9 would think of as your academic pursuits as opposed
10 to litigation support?

11 A. I would say on average I spend about one
12 day a week on litigation support.

13 Q. And we'll drill down on the litigation
14 support role.

15 Could you tell me about what you do in the
16 other four days of the week in your academic
17 pursuits?

18 A. Teaching, research, and service; that's
19 the three prongs of my job.

20 Q. And is that -- you told me it was about
21 four days.

22 Is that a full-time position that you hold
23 with the University of Texas at Dallas?

24 A. It -- well, it's nine months. I don't
25 have a summer contract, but it's full-time during

Page 10

1 the nine months.

2 Q. And some experts I have met in other
3 fields have -- who are associated with a university
4 or an academic center have rules that govern whether
5 professors can serve in an expert role and under
6 what circumstances and have conflict policies and
7 sometimes actually even require funding or payment
8 for expert services to run through the university
9 and then be dispersed to the expert.

10 That's the predicate for my question which
11 is: Does the University of Texas at Dallas impose
12 any kind of rules or policies or restrictions on
13 your serving as an expert witness in litigation?

14 A. Not in terms of funneling the invoices or
15 revenue through the university, but I do have formal
16 written permission from my department chair, from
17 the dean of the school of social sciences, and the
18 provost of the university to do the expert work. I
19 have had that formal written permission, I believe,
20 since 2005. It's called an authorization for dual
21 employment form, and so I have already taken care of
22 all that. So they know -- they know what I'm doing.

23 And also in terms of conflict of interest
24 policies, if one of the parties was somehow related
25 to the University of Texas at Dallas or UT system,

Page 11

1 then I wouldn't take the case. I guess that would
2 be the answer to that part of the question.

3 Q. And does the university -- well, let me
4 back up a little bit.

5 You're obviously not here in this case to
6 speak on behalf of the university, correct?

7 A. Correct.

8 Q. The university doesn't endorse your
9 serving as an expert in any particular case, does
10 it?

11 A. Endorse? You mean -- what do you mean by
12 that?

13 Q. Well, does the university even know that
14 you're an expert in this Diaz case?

15 A. No, and they would have no reason to know.
16 But they know that I perform this kind of work. And
17 it's -- so that's how I would answer that question.

18 Q. Sure. Sure.

19 So the -- could you tell me -- thinking
20 about the last year or two of school, could you tell
21 me what you focused on in your teaching
22 responsibilities?

23 A. Well, I teach victimless crimes in the
24 fall. Typically it's an undergraduate course. I
25 teach etiology of crime and criminality, which is a

Page 12

1 Ph.D. level theory course. I teach drugs and crime,
2 which is an undergraduate level course. I teach
3 violent crime, which is a Ph.D. level course,
4 graduate level course. And then obviously I have
5 multiple committee memberships, review
6 responsibilities, journal review responsibilities,
7 department committee memberships. I do tenure
8 reviews. I'm a journal reviewer.

9 And then obviously I -- during the course
10 of the entire year, even when I'm not on my
11 nine-month contract, I spend a lot of time working
12 on my publications, my research, and trying to get
13 my papers published. I obviously have done a lot of
14 that this summer as well.

15 Q. And how would you describe your research
16 focus?

17 A. Most of it's qualitative based on
18 interviews and/or field research with active
19 offenders. It focuses on offender decision making,
20 deterrents, rational choice. However, I am now --
21 over the last couple years, I have been moving a
22 little bit more into some quantitative research
23 designs with -- in collaboration with some of my
24 colleagues.

25 Q. And just so we're all clear, when you say

Page 13

1 you're moving into more quantitative research, could
2 you give me a sense of what you mean by that?

3 A. We're currently working on a paper based
4 on a survey of 70,000 respondents in 30 different
5 countries that explores crime and victimization risk
6 among different respondents based on particular sets
7 of independent variables.

8 And so now on this particular paper we're
9 working on, we're focusing on the relationship
10 between honor attitudes and crime and victimization
11 risk.

12 Q. Interesting.

13 Are there particular types of crime that
14 your research tends to focus on?

15 A. Yeah, I would say street crime. Street
16 crime and violence.

17 Q. And what do you mean by "street crime and
18 violence"?

19 A. Drugs, carjacking, robbery, burglary,
20 motor vehicle theft, retaliatory assaults, murder,
21 shooting, stabbings, that sort of stuff.

22 Q. And why would you group those types of
23 crimes together as street crime or violent crime?

24 A. Because the lion's share happen in urban
25 neighborhoods high in concentrated disadvantage.

Page 14

1 Q. Let's talk about your litigation support
2 work for a little while.

3 Could you tell me how you first got into
4 litigation support?

5 A. I was referred on a case in St. Louis. It
6 was actually a carjacking homicide at a Schnucks
7 parking lot -- S-c-h-n-u-c-k-s -- Schnucks parking
8 lot grocery store in St. Louis. I was referred on a
9 case, and that was my first case and that's kind of
10 how I started.

11 Q. That's a -- that's -- for those of you who
12 don't know, that's the leading -- but in my view not
13 the best -- local grocery store in St. Louis.
14 Definitely the dominant one.

15 Okay. And then can you tell me, you know,
16 why you obviously continued with litigation support
17 over the next several decades?

18 A. I wrote an article based on that case --
19 or actually wrote a couple articles based on that
20 case. But one in particular ended up being featured
21 as a cover story on one of the legal magazines, and
22 I got several -- a lot of calls after that article
23 appeared in 2004, and it just kind of went from
24 there, I suppose.

25 Q. And you told me earlier that at least

Page 15

1 during the school year, it's about one day a week
2 that you spend on litigation support, but could
3 you -- and maybe that's true for the whole 12 months
4 of the year.

5 But could you ballpark for me about how
6 much of your professional time is spent on
7 litigation support as opposed to academic or other
8 pursuits?

9 A. Probably the same answer, on average about
10 one day a week.

11 Q. And without giving me the numbers, could
12 you give me a sense of roughly what fraction of your
13 income annually comes from litigation support as
14 opposed to academic pursuits?

15 A. I don't track that.

16 Q. Don't you have to track that for tax
17 purposes?

18 A. I'm not sure what you mean. I report it
19 all, but I don't track percentages or anything like
20 that.

21 Q. You have no idea how much money you make
22 doing litigation support?

23 A. I don't track percentages. I don't -- my
24 taxes are filled out electronically with a digital
25 consent form. They are signed and submitted by an

Page 16

1 accountant, and that's my role in it.

2 Q. Could you ballpark it for me?

3 A. That would be guessing. I'm not going to
4 guess.

5 Q. Do you testify for both plaintiffs and
6 defendants in litigation support matters?

7 A. Yes.

8 Q. And understanding that you have been doing
9 this a long time, I would like to focus on just the
10 last, you know, three or four years.

11 Could you estimate, if possible, the split
12 between plaintiff and defendants in litigation
13 support matters?

14 A. I would say more defense than plaintiff,
15 but I don't know what the percentage is.

16 Q. What -- what do you do when you're asked
17 to review a case for possible involvement? Could
18 you walk me through any process you have that will
19 allow you to determine whether you want to take on
20 the retention?

21 A. I first check for conflicts. The next
22 thing I do is typically speak with the contacting
23 attorney about the facts. And if I think that
24 there's no conflict and I would be able to be of
25 assistance in reviewing the file, then I will send

Page 17

1 out some sort of engagement agreement.

2 Q. Do you apply the same standards when
3 you're testifying for plaintiffs as when you're
4 testifying for defendants?

5 A. Yes.

6 Q. Do you apply the same standards -- well,
7 I'm going to make -- I'll actually ask you that in a
8 more specific way in a little bit so just strike
9 that beginning to a question.

10 I always like to know the answer to this
11 question. Why -- and I'm not suggesting anything --
12 but why do you do litigation support?

13 A. Why do I do it? It's interesting, I
14 suppose. It's an opportunity to bring criminology
15 to the courtroom. Actually, my university
16 encourages it because on some level it enhances the
17 stature of the school when one of its faculty
18 members is testifying as an expert in court on a
19 matter of judicial relevance. So those are, I
20 guess, the main reasons.

21 Q. That's pretty consistent with what I hear
22 from most experts except in fields where some people
23 say they believe in sort of imposing discipline on
24 their professional peers, but that's more of a
25 malpractice setting.

Page 18

1 Can you tell me how you connected first
2 with Mr. Melcher about this case, the counsel for
3 TPI, the defendant?

4 A. He either emailed or called me about the
5 case and I believe we talked at that point.

6 Q. Had you ever worked with Mr. Melcher
7 before?

8 A. Yes.

9 Q. How -- could you just estimate how often
10 you worked with him before?

11 A. I think there was one prior case in
12 Tennessee, one prior case that I recall.

13 Q. Had you ever worked with the defendant,
14 The Partnership, Inc., or TPI before?

15 A. Not that I recall.

16 Q. In response to our subpoena, you wrote us
17 a Word document in which you said that you do not
18 retain expert reports or transcripts from your
19 testimony. Is that true?

20 A. Yes.

21 Q. Do you affirmatively go and delete your
22 expert reports?

23 A. No, but I'm talking about, like, the
24 original reports that I sign and scan or that the
25 counsel has, I don't keep any of that stuff. That's

Page 19

1 all discarded with the file.

2 Q. Do you keep electronic copies of the
3 report?

4 A. Not the original copies. I may have draft
5 versions of earlier copies, but I don't know to what
6 extent they're the same as the ones I have
7 submitted.

8 Q. Let me make sure I understand what you
9 mean by "original copy." Tell me what you delete.

10 A. I didn't say I deleted anything. What I
11 said was when I write a report and sign it, I
12 provide that to counsel. I might keep a written
13 copy in that file, but when the case is over, I
14 don't keep any of that stuff.

15 Q. Well, I need to be specific or precise
16 with you here.

17 So when you finish a report and it's
18 ready, from your expert perspective, to be submitted
19 to the attorney who has retained you, are you
20 telling me that you physically go in and sign the
21 last page or some page with a pen, like a wetting
22 signature?

23 A. Typically, yes.

24 Q. And then how do you get the final report
25 and your signature to the attorney who has retained

Page 20

1 you?

2 A. Well, I'll scan the signature page and
3 then I'll email the report. But, like I said -- and
4 I'll keep copies of draft versions of that report
5 but not the original signed copy of the report. So
6 I don't know whether to what extent the report would
7 have changed since the time I submitted it.

8 Q. Well -- okay. I think you just told me
9 that when you are done with a report and ready to
10 submit it to the attorney who's retained you, you
11 email that report to the attorney who's retained
12 you.

13 Is that what you're telling me?

14 A. Typically, yes.

15 Q. Do you go into your sent items and delete
16 those emails?

17 A. No, but they don't stay for all that long.
18 I don't physically delete them -- well, it depends.
19 If he responds and it goes in my inbox, then, yeah,
20 I'll put it in the trash. If it's just a sent
21 email, then it probably would stay in the email but
22 not for that long. I don't have that much space on
23 the Gmail account.

24 Q. Do you have -- do you pay Google for extra
25 storage space on your Gmail account?

Page 21

1 A. No.

2 Q. So as far as you know, you have the
3 standard storage that Google provides to everybody
4 who signs up for free Gmail account?

5 A. Correct.

6 Q. And it would be possible for you to go
7 into your sent items in your Gmail account and see
8 if you have final reports that you have submitted to
9 the lawyers who retained you?

10 A. For a very limited time, I suppose. If
11 they didn't respond -- if they didn't respond that
12 they received the report, I suppose it's
13 conceivable, but I don't think it really stores it
14 for all that long even in the sent box.

15 Q. And when you -- if an attorney were to
16 respond and confirm receipt, would you go into your
17 sent items and then delete the email in which you
18 had sent the final report to the attorney?

19 A. No. But the way it works is if there's a
20 response to the original email, then it goes to my
21 inbox. When I'm done with that email, I will delete
22 it and it no longer appears in the sent box; it's in
23 the trash box. And the trash box recycles every
24 month or two.

25 Q. Why do you delete the emails with

Page 22

1 attorneys who have retained you?

2 A. There's no reason to keep them. I would
3 have thousands of emails staring at me in my box, so
4 there's no reason to keep them.

5 Q. Do you delete your professional emails,
6 your UT Dallas emails?

7 A. Every one of them.

8 Q. When you write a paper with colleagues and
9 publish it, do you delete copies of that paper?

10 A. What I would do is I would wait until it's
11 published and then download the PDF from the
12 publisher.

13 Q. And would you go in and affirmatively
14 delete the final version that you had on your
15 system?

16 A. There might be a draft version if I wanted
17 access to some references; but no, I wouldn't delete
18 it, per se, but it's not the finalized typeset page
19 proof version. It's different.

20 Q. I understand. I'm just trying to
21 understand your document management. So I think
22 what you're telling me -- what about presentations,
23 do you give presentations in your academic work?

24 A. I write -- I help write the papers.

25 Typically my co-author does the presentations at

Page 23

1 this point. I used to do all the presentations; now
2 he's doing them.

3 Q. Do you ever create written materials that
4 you use to teach your students at UT Dallas?

5 A. What do you mean?

6 Q. Well, like slides or a handout or a, you
7 know, written document of some kind or a
8 presentation of some kind that you would create for
9 the benefit of your students at the UT Dallas?

10 A. Well, I create new lecture slides every
11 class every semester. Those are -- I don't keep
12 those. I suppose they could be recovered from the
13 email system but I don't keep them.

14 Q. Do you go in and affirmatively delete
15 them?

16 A. I would say, yes, because I do new slides
17 and new lectures -- or new slides based on -- on the
18 lecture material for that semester each semester, so
19 I don't keep the slides and recycle them from
20 semester to semester, no.

21 Q. Do you ever keep slides so that you don't
22 have to re-create from scratch basic concepts that
23 you're going to be teaching students year after
24 year?

25 A. No.

Page 24

1 Q. I may not have understood that.

2 So you don't keep -- you're telling me you
3 do not keep slides that you -- I'm sorry, I mangled
4 that question. I'm going to ask it in a more direct
5 way.

6 Do you go in and affirmatively delete
7 lecture slides after using them for a particular
8 class?

9 A. I don't know if I would call it
10 affirmatively deleting. I just don't keep them
11 because every semester I develop brand-new slides
12 based on the lecture material for that semester.

13 Q. Do you ever use similar lecture material
14 from semester to semester?

15 A. Oh, yes, and those are my handwritten
16 notes that I use for my lectures.

17 Q. All right. Do you ever receive copies of
18 your deposition or trial transcripts in matters
19 where you have provided litigation support?

20 A. Yeah, before -- if I need to do an errata
21 sheet, I'll see my deposition. If I have a trial,
22 then I will re-read my deposition. I don't retain
23 any of those.

24 Q. When you say you don't retain them, do you
25 go into your inbox and delete the emails that

Page 25

1 contain your transcripts?

2 A. No. But when I'm done with the
3 deposition, I'll just delete the deposition. Or if
4 it's part of my written file, I'll just discard it
5 with the file when the case is over.

6 Q. That's a separate topic. I'll come to
7 your file in a second, but just so I understand with
8 your transcripts, if lawyer John Doe emails you a
9 transcript and says, Bruce or Dr. Jacobs, here is
10 your transcript, could you please review for the
11 errata sheet, do you go in and delete that email
12 where the lawyer gave you the transcript?

13 A. After I have printed the transcript, yes.

14 Q. Why?

15 A. Why? Well, there's no reason to keep an
16 email like that. If he wants me to look at the
17 deposition and correct any errors, I will print the
18 deposition or read it online. If I don't notice any
19 errors, it will be deleted. If I do notice errors,
20 I'll submit the errata sheet. I don't retain any of
21 my depositions.

22 Q. Going back to your reports, are there
23 parts of your expert reports that you use in report
24 after report after report such as your CV or your
25 list of testimony or your qualifications?

Page 26

1 A. I would say the front matter definitely is
2 used repeatedly because it describes who I am and
3 what I do.

4 Q. Well, when you go to start a new report,
5 where do you go get the front matter so that you can
6 copy and paste it into the new report?

7 A. Typically from a draft of a prior report
8 or something of that nature.

9 Q. And is that what you did in this Diaz
10 case?

11 A. Probably.

12 Q. All right. In response to our subpoena
13 requesting your prior reports and testimony, did you
14 go into your Gmail and search to see whether you had
15 any responsive documents?

16 A. I don't think I did because I don't retain
17 the original -- as I told you several times already,
18 I do not retain the original submitted report that I
19 have sent to counsel, so there would be no reason
20 for me to search my email if I know that I did not
21 retain the original submitted report to counsel.

22 Q. So I understand your testimony a few
23 minutes ago differently. I understood you to be
24 testifying that you submit the final report to the
25 counsel who has retained you by email and you do not

Page 27

1 go into your sent items and delete that sent email.

2 Is that what you told me a few minutes
3 ago?

4 A. Correct. But...

5 Q. And so this is a related but different
6 question. When we served a subpoena on you and
7 asked for your prior reports, did you log into your
8 Gmail, go into your sent items or otherwise search
9 in your email to see if you have any of those
10 reports that you'd submitted to the counsel who
11 retained you?

12 A. I don't think I specifically did that, no.

13 Q. All right. I want to turn to some sort of
14 big picture methodology issues, and then we'll start
15 to talk in a little bit more detail about this case.

16 Do you have a methodology for reaching
17 your opinions in a litigation support matter?

18 A. Yes.

19 Q. And what would you -- how would you label
20 or describe that methodology?

21 A. It's traditional social scientific
22 methodology for reviewing datasets, documents, and
23 rendering reliable, professional, scientific
24 opinions based on said review. And those methods
25 are content analysis. From content analysis, you

Page 28

1 have domain analysis. After domain analysis, you
2 have triangulation. After triangulation, you have
3 analytic induction. And so I used all those methods
4 for rendering my opinions in this case. And they're
5 all peer-reviewed.

6 Q. We'll try --

7 A. I'm sorry, they're all peer-reviewed,
8 reliable, widely used methods in the social sciences
9 for reviewing qualitative data such as documents,
10 depositions, police reports, discovery material, and
11 so on, and for rendering reliable and reproducible
12 opinions.

13 Q. We'll talk -- I saw the reference in your
14 report to triangulation and content analysis and so
15 on. We'll talk in some more detail as we go through
16 your report. I just wanted to understand if there
17 was a different method beyond those three methods or
18 techniques.

19 Do you have a written protocol of any kind
20 that you follow when you are applying your
21 methodology to reach an opinion in a litigation
22 support matter?

23 A. How do you mean "written protocol"?

24 Q. Well, some scientists have a written
25 protocol that documents specific steps that they

Page 29

1 follow to understand the evidence before them and
2 reach a conclusion. And I'm wondering if you have
3 any written protocol like that?

4 A. Well, I just described it, I think. It's
5 also described in my report; again, content
6 analysis, domain analysis, triangulation, analytic
7 induction.

8 Q. And so you yourself don't have a written
9 protocol or set of steps that you followed. Is that
10 what you're telling me? I mean -- let me back up.

11 I hear you to be telling me that there are
12 papers that describe content analysis and
13 triangulation and inductive analysis and so on, and
14 those are general methods in the social sciences.

15 And I'm wondering if whether you, in
16 particular, have any specific protocol that you
17 created or acquired somewhere that you sit down and
18 follow when you are conducting your analysis in a
19 litigation support matter?

20 MR. MELCHER: Objection; form.

21 A. You mean like that I kind of created or
22 invented out of whole cloth, not based on any
23 established methodology or social science?

24 Q. No, not exactly. It could be something
25 that you created yourself or it could be something

Page 30

1 you acquired somewhere else.

2 Do you have anything like that that you
3 follow?

4 MR. MELCHER: Same objection.

5 Go ahead.

6 A. I'm not sure how to answer that question.
7 I think I described the methodology that I used. I
8 mean, obviously within all those techniques,
9 there's, you know, additional things that you may do
10 within those techniques to render opinions. But
11 they -- for example, crime pattern analysis would
12 fall under probably both content analysis and domain
13 analysis but it's more of a sub-technique.

14 And so those are -- the four techniques I
15 described are the overarching tools that I used.
16 And then within those techniques, there's always
17 room for drilling down in additional ways, but I
18 think those four techniques really cover most
19 everything.

20 Q. We'll talk about those techniques in more
21 detail as we go through your report. I want to ask
22 you now about the general work that you performed on
23 this case.

24 And I would actually like to drill down a
25 little bit more on your subpoena response. I have a

Page 31

1 copy of the Word document you shared with us. I
2 understand that there is someone from Veritext on
3 the way to the deposition location to bring a laptop
4 so that you can look at it through a laptop instead
5 of your phone.

6 So I would like to ask you some questions
7 about your subpoena response, but let's try this.
8 Let's just see if we can put it up on the screen and
9 see if you can see it. And if you can't, then we'll
10 go from there. Okay.

11 So I'm going to put up what I'm going to
12 mark as Exhibit 1 on the screen.

13 Do you see -- and it's probably too small
14 to begin with, but do you see on your screen instead
15 of my face a Word document?

16 (Exhibit 1 marked.)

17 A. Yeah, I have a hard copy of it.

18 Q. Oh, that's great. I should have asked you
19 what you brought to the deposition today.

20 What did you bring to the deposition
21 today?

22 A. My report, the subpoena response, all the
23 depositions, all the police reports, some additional
24 notes that I generated in the last few days. That's
25 pretty much it. Some correspondence, I think, from

Page 32

1 counsel.

2 Q. The one item there that I don't recognize
3 that I have a copy of -- and I guess I don't know
4 what specific correspondence with counsel you're
5 referring to, but they produced a bunch. So I'm
6 going to assume that they produced everything they
7 were supposed to. Julie seems pretty careful.

8 Can you tell me about the notes that you
9 generated recently that you brought with you today?

10 A. Yeah. Typically a few days before the
11 deposition when I'm reviewing all the material in
12 preparation, I'll generate some handwritten notes to
13 guide me through some questions that you may have.

14 So I have -- looks like I have 12 pages of
15 handwritten notes that I have developed specifically
16 for today. And I will obviously either have the
17 court reporter give these to you or have Mr. Melcher
18 scan and send them to you, however you want to do
19 it.

20 Q. Thank you.

21 I'm just going to go ahead and mark your
22 12 pages of handwritten notes as Exhibit 2 to the
23 deposition.

24 (Exhibit 2 marked.)

25 MR. BLOCK: And, Michelle, if you will

Page 33

1 just, you know, grab a copy of those, we'll work on a
2 break to get them. Okay?

3 THE REPORTER: Yes, sir.

4 MR. BLOCK: Thank you.

5 Q. So if we turn back to Exhibit 1, your
6 subpoena response, the first item, we asked you for
7 all documents reflecting your, quote, site
8 inspection and area canvass, end quote, interview
9 with property manager. And you refer first to an
10 L. Wynn, SP MGR, since 2017, 3/8/22.

11 Do you see that in your physical copy of
12 Exhibit 1?

13 A. Yes.

14 Q. And I'm just going to take down the
15 electronic copy of Exhibit 1 since you have a
16 physical copy.

17 Okay. So I interpret your response to
18 mean that on March 8, 2022, you had an interview
19 with Ms. Wynn, the former manager of Seven Courts.
20 Is that fair?

21 A. Correct.

22 Q. And how do you conduct -- well, was that
23 interview conducted by telephone or in person or by
24 some other means?

25 A. In person.

Page 34

1 Q. And was that during your trip to Atlanta
2 to do this site inspection, area canvass?

3 A. Yes.

4 Q. How long was your interview with Ms. Wynn?

5 A. Maybe close to an hour, 45 minutes maybe.

6 Q. And where was that interview conducted?

7 A. In the leasing office.

8 Q. At Seven Courts?

9 A. Yes.

10 Q. Did you speak to Ms. Wynn at any other
11 time?

12 A. I don't think so.

13 Q. Who was there with you and Ms. Wynn during
14 that conversation?

15 A. Mr. Melcher and I think there was another
16 staff member in the office but not in -- immediately
17 in the interview room with us.

18 Q. Did you take any notes from your interview
19 with Ms. Wynn?

20 A. I think I took some handwritten notes, but
21 I converted them to this -- to this response so they
22 are legible and could be read and then I could use
23 them for the report that I generated.

24 Q. What was the purpose of your interview
25 with Ms. Wynn?

Page 35

1 A. I just wanted to get a sense of the crime
2 prevention measures that would have been in place at
3 or near the time of the incident.

4 Q. Did you -- you discussed with Ms. Wynn
5 crime prevention measures.

6 Did you also discuss with Ms. Wynn the --
7 any prior instances of crime at Seven Courts?

8 A. It might have come up, but I had all the
9 police reports, so that wasn't an explicit focus of
10 our discussion.

11 Q. And did the -- I'm looking here at the
12 notes you took.

13 Did you ask Ms. Wynn to -- or anyone, for
14 that matter, affiliated with TPI and Seven Courts to
15 provide evidence of what the supposed security
16 measures were and that they were in place?

17 A. Evidence in terms of?

18 MR. MELCHER: Let me just object to
19 form.

20 Go ahead if you understand the
21 question.

22 A. I mean, I'm not sure what you mean by
23 evidence. This was an in-person interview. I asked
24 her questions and these are the responses.

25 Q. Well, let's take a few of these. The

Page 36

1 first bullet you have is criminal background checks
2 of residents, so I'm assuming Ms. Wynn told you that
3 TPI conducted criminal background checks of
4 residents, right?

5 A. When I asked her, yes.

6 Q. So actually, let me back up. Did you ask
7 her, tell me what kinds of crime prevention measures
8 you have in place at Seven Courts, and did she just
9 rattle off a list or did you have a list that you
10 were working off of?

11 A. I have a generalist that I work off of. I
12 mean, I have done this so many times, I can do it
13 mostly from memory. But these are the -- when I
14 have an apartment complex case, these are the kinds
15 of things I ask them about, so the questions would
16 have come from me.

17 Q. All right. So if we look at some of
18 those, if we look at criminal background checks of
19 residents, is it your testimony that Ms. Wynn told
20 you TPI conducted criminal background checks of
21 residents?

22 A. When I asked her if they did that, she
23 said, yes. I think she talked about no prior
24 felonies, but I don't recall specifically, but
25 that's typically the rule or the guideline at an

Page 37

1 apartment complex.

2 Q. Did you ask her to provide any
3 documentation that, in fact, TPI was conducting
4 criminal background checks of residents?

5 A. I don't think so because that would have
6 come from the discovery that was already provided.
7 So I think the HUD guidelines capture that that were
8 in the discovery. So no, I didn't ask, for that
9 reason.

10 Q. I don't recall seeing HUD guidelines
11 provided in discovery in your report as something
12 that you reviewed.

13 Are you telling me that you reviewed some
14 HUD guidelines that are specific to this case?

15 A. No. That's my general knowledge of HUD
16 guidelines and the criminal background checks they
17 require of tenants at properties such as these.

18 Q. What is the role of the HUD guidelines, in
19 your view, as it relates to apartment safety?

20 MR. MELCHER: Objection; form.

21 A. Well, depends on what kind of safety
22 you're talking about. I mean, the HUD guidelines
23 cover everything from potholes and lead paint to
24 lighting. And so there's a variety of things that
25 they address, so I can't really narrow it down

Page 38

1 unless you give me more specifics.

2 Q. Well, are the HUD guidelines a source that
3 you consider when you're evaluating the security
4 conditions at an apartment complex?

5 A. As it relates to things like criminal
6 background checks and things of that nature, I would
7 say yes.

8 Q. Are there parts of the HUD guidelines that
9 you think should not be considered in evaluating the
10 safety of an apartment complex?

11 A. I would have to get the guidelines out and
12 really pour over them to respond to that adequately.

13 Q. Sitting here right now, recognizing that
14 you don't have the guidelines in front of you but
15 they're something that you have testified and you
16 have in your brain from your 20 years of service as
17 a litigation support expert, are there specific
18 parts of the HUD guidelines sitting here that you
19 think you disagree with and don't apply when you're
20 evaluating the safety of an apartment complex?

21 A. Not that I can recall as I sit here.

22 Q. So if we look further at the list --
23 actually, let's stay with criminal background checks
24 of residents because I just want to make sure I get
25 a good answer on this.

Page 39

1 Have you ever asked TPI to provide any
2 documentation to confirm that they, in fact, were
3 conducting criminal background checks of residents
4 at Seven Courts?

5 A. I thought that was asked in the
6 interrogatories, so no, I didn't ask because I
7 believe it was asked in the interrogatories.

8 Q. What about drug- and crime-free lease
9 provisions, did you ask for documentation to confirm
10 that TPI actually had and was enforcing drug- and
11 crime-free lease provisions?

12 A. I think that was part of the Georgia
13 Apartment Association standard lease, so it would be
14 in there.

15 Q. What about community rules for acceptable
16 behavior, did you ask for documentation of what
17 TPI's community rules for acceptable behavior are?

18 A. Once again, I think that would be in the
19 GAA certified lease.

20 Q. What about eviction of noncompliant
21 residents, did you ask for documentation that TPI
22 was actually evicting noncompliant residents?

23 A. Well, there was sworn testimony in the
24 depositions about that conduct. It's also specified
25 in the lease, the GAA lease, about what is grounds

Page 40

1 for eviction. But did I ask for everyone who has
2 ever been evicted from Seven Courts in the three
3 years prior to this incident, no.

4 Q. I'm going to skip down a little bit. One
5 of your bullets is routine vacant unit checks for
6 squatters/drug dealing.

7 Do you see that?

8 A. Yes.

9 Q. Did you ask TPI to provide any evidence
10 that, in fact, they were conducting routine vacant
11 checks for squatters/drug dealing?

12 A. Well, I asked her -- in my personal
13 interview, but I asked her for -- you say evidence,
14 I mean, I don't create my own evidence, I mean,
15 that's for you guys to do. So I asked her do they
16 do that, and she answered affirmatively.

17 Q. So I was going to get to this a little bit
18 later, but in your report, you have a list of
19 materials reviewed, which includes deposition
20 transcripts and the complaint and the answer and
21 some -- I'm not sure all -- of the discovery
22 responses.

23 Did you ask TPI for access to other
24 evidence that had been produced in the case?

25 MR. MELCHER: Objection; form, term

Page 41

1 "evidence."

2 Go ahead.

3 A. I just asked them to produce all the
4 discovery in the matter; all the depositions, all
5 the exhibits thereto, everything that had been
6 produced as relevant to the file that I need to
7 review.

8 Q. Did you ask TPI to produce the documents
9 that the company has produced in this case?

10 A. I'm not sure what you mean. Once again, I
11 asked them to produce all the discovery.

12 Q. Sure.

13 So just as an example, TPI has produced
14 hundreds or thousands of emails and text messages
15 primarily about the security conditions at Seven
16 Courts.

17 Did you ask TPI to provide you access to
18 the documents such as emails and text messages about
19 security conditions at Seven Courts?

20 A. I believe those were exhibits to the
21 depositions, so that's how I was -- had access to
22 them.

23 Q. So other than documents that someone shows
24 to make an exhibit at a deposition, did you ask TPI
25 to provide you access to the other documents, such

Page 42

1 as emails and text messages, about security
2 conditions at Seven Courts?

3 MR. MELCHER: Objection; form.

4 A. Again, I asked for the available
5 discovery. That's what I asked for.

6 Q. Did you ask if there was anything more
7 than what you had been provided?

8 MR. MELCHER: Objection; form and
9 asked and answered.

10 A. I'll stick with my previous answer.

11 Q. Why did you not go and ask affirmative --
12 if I understand your testimony correctly -- let me
13 back up and make sure I understand it correctly. I
14 understand you to be telling me that you asked TPI's
15 lawyers to give you the discovery in the case.

16 Did you take any other steps to confirm
17 that, in fact, they had given you all of the
18 discovery in the case?

19 MR. MELCHER: Objection; form,
20 harassing.

21 A. I don't -- I can't ask for what I don't
22 know doesn't exist. So I asked for all the
23 discovery. I don't know how else to say that.

24 Q. Would it be important to your analysis to
25 consider all of the emails and text messages about

Page 43

1 security conditions that TPI has produced in the
2 case?

3 MR. MELCHER: Objection as far as it
4 calls for speculation.

5 A. If it was part of the discovery, I asked
6 for it.

7 Q. So if there's a break down in you not
8 having all of the information relevant to security
9 conditions at Seven Courts, I think you're telling
10 me that would be on TPI's lawyers, not you?

11 MR. MELCHER: Objection; form,
12 harassing.

13 A. I can't answer that question. I don't
14 know. You're implying that they have this trench of
15 materials that was not provided to me that's somehow
16 relevant to the case. And I have seen no evidence
17 of that.

18 Q. Did you ask if there is any?

19 MR. MELCHER: Same objection.

20 A. For the fourth time, I asked for all of
21 the available discovery to be provided to me so that
22 I could review the file and render professional
23 opinions.

24 Q. Let's turn back to your response to our
25 subpoena, Exhibit 1. You describe systematic

Page 44

1 lighting on buildings, doors, and in common areas,
2 and routine lighting inspections and repairs.

3 Did you ask TPI for any evidence of what
4 the supposed systematic and routine lighting
5 measures were?

6 A. Well, the -- again, I don't create my own
7 evidence. I asked them if they did that. I
8 triangulated her responses with deposition testimony
9 from both Hickey and Holt and Fontaine and Wynn that
10 lighting inspections were, in fact, routinely done
11 either by leasing office personnel or security
12 personnel, and if lights were out, they were
13 repaired. So that would be the answer to the
14 question.

15 Q. One of your bullets is routine property
16 inspections by management personnel.

17 Did you ask for any copies of documents,
18 such as inspection reports, that were created as a
19 result of those routine property inspections?

20 A. No because you already did that in your
21 interrogatory requests, so no, I did not make a
22 secondary request.

23 Q. Have you ever seen something that you
24 would consider a record of a routine property
25 inspection by management personnel?

Page 45

1 MR. MELCHER: Objection; form.

2 Are you talking about in this matter
3 or in general?

4 MR. BLOCK: I think you know the
5 question is directed to this matter.

6 MR. MELCHER: All right. Well it
7 wasn't limited to that with respect to your question
8 itself, but since it's limited to this matter.

9 MR. BLOCK: Okay. Can you please stop
10 stepping over my questions?

11 MR. MELCHER: What are you talking
12 about?

13 Q. Dr. Jacobs --

14 MR. MELCHER: I have the right --

15 Q. Dr. Jacobs --

16 MR. MELCHER: I have the right to
17 object, and I'm doing the best job I can considering
18 we're, you know, basically on, you know, the
19 Clampetts' telephone line here.

20 Q. Dr. Jacobs, have you seen anything in this
21 matter that looks to you like a record of a routine
22 property inspection by management personnel?

23 A. I would have to get out all of the file
24 materials to say yes or no, but again, these are
25 questions I asked Ms. Wynn, and they were verified

Page 46

1 by the deposition testimony.

2 Q. Well, is there any deposition testimony
3 you can recall reflecting periodic -- excuse me --
4 routine property inspections by management
5 personnel?

6 A. Well, sure. Both Fontaine and Wynn
7 testified that they routinely walked around the
8 property. They routinely inspected the property
9 for, you know, issues that may come up. This was --
10 these statements were peppered throughout all the
11 depositions, including Holt and Hickey.

12 So -- now are you talking about a specific
13 official form that says property inspection, no.
14 But that's -- that's not the gist of that bullet
15 point. The gist of the bullet point is were they --
16 were there boots on the ground at the property, were
17 they walking the property, were they identifying
18 potential hazards, and were they reporting them
19 either to security or the higher-ups if they, in
20 fact, existed, and they were.

21 Q. Let's look at your next bullet: Periodic
22 HUD and state inspections of property (every Feb.).

23 Have you seen any documentation associated
24 with periodic HUD and state inspections of the
25 property?

Page 47

1 A. Whatever was provided in the file is what
2 I reviewed. I asked her if they conducted these
3 inspections, and I know for a fact that HUD requires
4 them and I believe the State also does. But in
5 terms of what's in the file, I relied on counsel to
6 provide that material.

7 Q. In your experience as a longtime
8 litigation support consultant, would you expect that
9 periodic HUD and state inspections of a property
10 would result in some sort of documentation from
11 either HUD or the state inspectors about their
12 findings that they would share with the property?

13 A. Typically you would see a form. Yeah,
14 typically you would have that.

15 Q. And do you have a specific recollection of
16 seeing any such forms in this case?

17 A. Not that I recall.

18 Q. Me neither.

19 How about periodic inspections of property
20 by Preservation Management ownership once a year, do
21 you recall seeing any documentation of the results
22 of those periodic inspections?

23 A. Nothing other than the deposition
24 testimony and perhaps some of the emails that were
25 referenced in the depositions about -- from Rodrick

Page 48

1 Harris to Wynn and back and forth and so forth.

2 Q. What about multiple daily patrols provided
3 by the area police officers, have you seen any
4 documentation of those?

5 A. Well, there probably wouldn't be if
6 there's no crime and there's no call for service.
7 So I asked Ms. Wynn specifically did APD
8 periodically patrol the property and the area,
9 you're on the property every day for hours of the
10 day, did you see them doing that, and she answered
11 affirmatively.

12 But in terms of an official record, if
13 there's no crime and no call for service, you
14 wouldn't see that.

15 Q. Did you take everything that Ms. Wynn told
16 you about the security conditions at Seven Courts at
17 face value?

18 A. Well, I compared them to the record,
19 obviously; the deposition testimony, the emails and
20 correspondence, the police reports, all the
21 available discovery. So there was triangulation
22 there.

23 Q. Is there anything Ms. Wynn told you about
24 security conditions at Seven Courts that you
25 disagreed with or didn't think happened?

Page 49

1 A. Not that I recall as I sit here.

2 Q. Are you aware of allegations that Ms. Wynn
3 herself was involved in criminal activity?

4 A. I have seen the allegations from Mr. Holt,
5 yes.

6 Q. And did you factor that into your analysis
7 of whether to rely on Ms. Wynn's report to you?

8 A. Yes. Although, you know, I'm not in the
9 credibility assessment business. Obviously there's
10 a factual dispute between Mr. Holt and Ms. Wynn
11 about who was doing what, when, and how.

12 But I will say that almost all those
13 concerns seem to have been neutralized by the
14 deposition testimony of former employee Fontaine, in
15 addition to 30-year law enforcement veteran Kenneth
16 Hickey, both of whom essentially undermine almost
17 entirely virtually everything that Mr. Holt said.

18 So once again, that's the jury's call, not
19 mine, but you asked me the question, so that's my
20 answer.

21 Q. So I think what you're telling me is that
22 in reading the deposition testimony of various
23 witnesses, you decided to believe the version of
24 events in which Latoya Wynn is not a criminal?

25 MR. MELCHER: Objection; form.

Page 50

1 A. That's not what I said at all, and so I'll
2 just stick with my previous answer.

3 Q. If, in fact, Ms. Wynn was involved in
4 criminal activity, what would that mean for your
5 reliance on the interview you conducted with her?

6 MR. MELCHER: Objection; form.

7 A. Well, that would convert back to what
8 extent to these data points were they triangulated
9 by either the records or the testimony or my site
10 visit. And I think all of them were. I mean -- so
11 the only thing that -- looking at the list here, I
12 mean, my site visit and the deposition testimony and
13 the exhibits thereto triangulated, I think, just
14 about all these data points.

15 Q. You didn't triangulate the periodic HUD
16 and state inspections of the property every
17 February, did you?

18 A. I think Ms. Fontaine talked about them,
19 but I need to re-read her deposition to be sure.

20 Q. You didn't triangulate multiple daily
21 patrols provided by beat area police officers, did
22 you?

23 A. Well, unless I'm riding with the cops, I
24 don't think I could. But Mr. Holt testified that
25 the cops were routinely at or around the property.

Page 51

1 The police reports I reviewed showed police presence
2 at the property. I think Hickey testified to the
3 same, Fontaine as well.

4 So once again, unless there's -- that
5 particular data point, unless there's a police
6 report or a call for service, you would not be able
7 to triangulate that other than the deposition
8 testimony that I referenced.

9 Q. Let me see if I understand something that
10 I think you're saying. If the police is at Seven
11 Courts to respond to a crime, like let's say there's
12 a shooting and the police respond to a 911 call for
13 the shooting, is that police presence something you
14 would consider a crime prevention measure?

15 A. Well, it potentially could be, but I'm
16 talking about more of narratives that say, you know,
17 police were patrolling the area, and while
18 patrolling the area, X, Y, or Z happened. And so
19 that would be more of an example than responding to
20 a crime that has already been committed.

21 Q. Your last bullet is for periodic security
22 patrol.

23 What do you mean there?

24 A. So that would be Hickey's presence after
25 May 21 where he was patrolling the property

Page 52

1 periodically, passing out fliers and so forth.

2 Q. And do you consider -- you're referring to
3 Mr. Hickey's testimony where he would drive through
4 the property and pass out notices?

5 A. I believe the testimony was three times a
6 week he would patrol the property, and during the
7 patrol, he would pass out these fliers or notices or
8 vice versa. Nobody asked him how long he was at the
9 property each time, so I don't know the duration,
10 but there was a periodic security patrol based on
11 his presence.

12 Q. His testimony was that his function was
13 mostly passing out notices.

14 Do you remember that?

15 MR. MELCHER: Objection; form.

16 A. Right. But he also said while he was
17 there, he would have eyes on the property and
18 potentially -- potentially report issues that came
19 up.

20 Q. And in your view, is that a security
21 measure?

22 A. Oh sure.

23 Q. Is it a strong security measure?

24 A. I'm not sure how to define strong but it's
25 a security measure.

Page 53

1 Q. Is it, in your view, an important security
2 measure?

3 A. It depends on the violent crime pattern in
4 play at the subject property.

5 Q. Would it have been -- let me back up so
6 that we're all clear about what we're talking about.

7 Were Mr. Hickey's May, June, July random
8 drive-throughs mostly to pass out notices, would
9 that have been an important security measure given
10 the crime conditions at Seven Courts?

11 MR. MELCHER: Objection; form.

12 A. I thought it was reasonable relative to
13 the violent crime risk there, yes.

14 Q. Would it have been sufficient to deter
15 violent crime?

16 MR. MELCHER: Objection; form.

17 A. It would depend on the offender you're
18 trying to deter.

19 Q. Tell me which offenders or types of
20 offenders driving through the property randomly,
21 mostly passing out notices would deter at Seven
22 Courts in the summer of 2021.

23 MR. MELCHER: Objection; form.

24 A. Typically offenders who are ambiguity
25 averse, so randomized patrol like that where

Page 54

1 offenders don't know when they're coming, how long
2 they're staying, when they're coming back. An
3 ambiguity averse offender would be deterred by that
4 kind of measure.

5 Q. What kind of offenders would not be
6 deterred by that kind of measure?

7 A. Someone high on PCP would be an example,
8 someone drunk, somebody desperate, somebody who just
9 simply doesn't care about security, those would be
10 examples.

11 Q. We'll talk more about some of those
12 opinions, but I want to just finish up on your
13 subpoena response.

14 On the second page, you refer to axial
15 codes and selective codes.

16 What do you mean there?

17 A. That comes from the domain analysis
18 methodology where there's axial codes, selective
19 codes, subselective codes, which you're essentially
20 organizing the data into very specific categories,
21 and then ultimately those categories will be linked
22 through analytic induction to the scientific
23 literature, so that's what those codes refer to.

24 Q. All right. I'm looking now at -- I guess
25 it's the next page, the third page under number --

Page 55

1 you responded that you will bring the original
2 police reports with shorthand summary of each crime
3 type on the top right-hand corner of page 1 of each
4 police report to the deposition.

5 Did you do that today?

6 A. Yes.

7 Q. Let's mark those as Exhibit 3, and we'll
8 make a --

9 MR. BLOCK: I don't need to see those
10 today, Michelle, I just want to make a copy of them,
11 and then we can get the --

12 Q. You know, I assume, Dr. Jacobs, you would
13 like to have a copy with your notes at least for the
14 duration of this case, so we don't want to -- we
15 need to get those back to you somehow --

16 A. Yes.

17 Q. -- or a copy of them.

18 Okay. We talked about the other things,
19 so let's set aside Exhibit 1. And let me make a
20 note of Exhibit 3, which is your -- for the record,
21 your copies of the police reports with your
22 handwritten notes.

23 If you know, Dr. Jacobs, which years of
24 APD police reports did you consider in forming your
25 opinions in this case?

Page 56

1 (Exhibit 3 marked.)

2 A. I think it was 7/18 to 7/21.

3 Q. You mean July '18 to July 2021?

4 A. Yes.

5 Q. So that's a three-year reference period?

6 A. Yes.

7 Q. And why did you consider APD reports over
8 a three-year reference period?

9 A. Two to three years is a standard reference
10 period in my field. Three years is specified in the
11 OSHA risk assessment guideline. Two years is the
12 published criminal logical guideline for look back.
13 So I typically look at two to three years in my
14 practice.

15 Q. And just so I understand that, so three
16 years is in the OSHA risk assessment. And can you
17 just explain for the record why you would
18 incorporate an Occupational Safety and Health
19 Administration standard into your criminology
20 assessments?

21 A. Because it's a federal risk guideline.

22 Q. And then the two-year standard, where did
23 you testify that came from?

24 A. That comes from a 1989 peer-reviewed
25 scientific article assessing foreseeability by the

Page 57

1 former president of the American Society of
2 Criminology.

3 Q. And what is the author name of that
4 article?

5 A. Lawrence Sherman.

6 Q. And is that something that you would have
7 produced in your production of papers?

8 A. Yes, it's one of the hundred-plus PDFs
9 that I uploaded to the ShareFile link.

10 Q. Sure. Let me just get that out now while
11 we -- I just want to get the title for the record.

12 So Sherman -- that's from 2017, so that's
13 not it. Is it -- okay. Let me look at the date.

14 Did you say 1979 or 1989?

15 A. '89.

16 Q. Okay. So is the paper that you're
17 referring to Violent Stranger Crime at a Large
18 Hotel: A Case Study in Risk Assessment Methods by
19 Lawrence W. Sherman?

20 A. Yes.

21 Q. Okay. So that's the source from which
22 you're drawing the two-year reference period?

23 A. Correct.

24 Q. Can you explain why you would rely on the
25 Sherman paper from 1989 to derive a two-year

Page 58

1 reference period?

2 A. Because, once again, it's a peer-reviewed
3 scientific article. It's published in a very
4 reputable social science journal. It's written by
5 one of the most highly respected criminologists in
6 the world, former president of the American Society
7 of Criminology, former president of the American
8 Association of Experimental Criminology, former -- I
9 believe former president of the Academy of Criminal
10 Justice Sciences. His work has been cited, I
11 believe, over 40,000 times in scholarly literature
12 attesting to its impact and acceptance. So that's
13 why.

14 Q. So what do you do -- when you're looking
15 back two years or three years, depending on whether
16 you're -- whether you're -- let me make sure I
17 understand.

18 How would -- would "reference period" be
19 the term that you use to describe the time period
20 over which you analyze crime data for a subject
21 property?

22 A. Right.

23 Q. And in this case, how long of a reference
24 period did you use?

25 A. Well, I think I -- I had police reports

Page 59

1 for the three years prior, so obviously I'm looking
2 at those police reports relative to the security
3 measures that were in place at or near the time of
4 the incident.

5 Q. So did you use a three-year reference
6 period in forming your opinions in this case?

7 A. I used a three-year reference period to
8 assess the reasonableness of the measures that were
9 in place at the time of the incident. But obviously
10 also I'm looking for recency of violence within the
11 three-year reference period, which is also standard
12 methodology.

13 Q. We'll come to that, but just -- maybe
14 let's ask it this way: What types of data did you
15 consider over a three-year period in forming your
16 opinions in this case?

17 A. I looked at all the police reports and
18 analyzed them.

19 Q. Did you make any -- other than -- let me
20 back up.

21 The police report, I know what you're
22 talking about because I have seen the email sending
23 them to you. And I'm actually the one who made Open
24 Records Act request for them at the beginning of the
25 case, so I know what you mean.

Page 60

1 But just for the record, when you say
2 "police reports," you mean Atlanta Police Department
3 police reports that counsel for TPI provided to you?

4 A. Yes.

5 Q. Did you yourself request any other crime
6 data from the Atlanta Police Department in forming
7 your opinions in this case?

8 A. I don't recall that I did, no.

9 Q. And did you request crime -- excuse me.

10 Did you request crime data from any other
11 source in forming your opinions in this case?

12 A. I don't believe so.

13 Q. All right. I promise you we will get to
14 your report, but I'm still trying to understand how
15 you approached this case.

16 So we have seen -- I don't think we need
17 to make them an exhibit right now, but we, I think,
18 received in the last day or two a couple of invoices
19 of yours, not the one you sent us for the
20 deposition, these are invoices you sent to
21 Mr. Melcher and his team.

22 And it looks like you had one invoice from
23 March 9th for \$7,516 for a total of 21 and a half
24 hours, and then you had a June 30th, 2022, invoice
25 in the amount of \$2,310 for a total of 5.85 hours.

Page 61

1 So I guess as of June 30th, according to
2 your invoices, you had spent about 27 -- a little
3 over 27 hours working on this case.

4 Does that sound about right to you?

5 A. Yes.

6 Q. And I notice that one of your invoices --
7 your March 9 invoice refers to your Atlanta trip.

8 Did you bill for the whole time that you
9 were traveling to and in Atlanta?

10 A. Right. I mean, I -- travel time is
11 included, so the flight, doing analysis typically on
12 the flight of some kind, the visit, and then return
13 to Dallas.

14 Q. Sure. I'm not -- I mean, like, it's --
15 for lawyers, it's client by client whether they're
16 going to pay for travel time, so I understand what
17 you're saying. I just -- and good for you if you
18 can charge the client for travel time whether you're
19 working for the client or not.

20 What I'm trying to understand is if we
21 look at your if we look at your total time as of
22 June 30, 2022, some fraction of that will be for
23 your travel time during perhaps -- during which you
24 perhaps were working on this case.

25 Is that what you're telling me?

Page 62

1 A. Right. So, you know, the flight is an
2 hour and a half each way, you know, that's a real
3 quick flight, so, yeah, that would be it. Maybe,
4 you know, my house to the airport is half an hour,
5 so -- right.

6 Q. Did you spend the night in Atlanta?

7 A. No.

8 Q. How long were you in Atlanta for your site
9 visit trip?

10 A. Maybe five hours, six.

11 Q. So that's like, you know -- well, let me
12 ask it this way because obviously there's some type
13 at a big airport, but how long would you say you
14 were on the ground actively conducting your site
15 visit and also your area canvass on your trip to
16 Atlanta?

17 A. Probably three to four hours maybe.

18 Q. And roughly how much of that time was the
19 site visit to Seven Courts?

20 A. I don't recall. I mean, I inspected the
21 property and interviewed Ms. Wynn. We did the area
22 inspection. I probably -- we probably came back to
23 the property multiple times, which is what I like to
24 do in a case. So I don't know what the breakdown
25 is.

Page 63

1 Q. We'll talk in some more detail about the
2 site visit and the area canvass when we go through
3 your report which is actually what I would like to
4 turn to now.

5 MR. BLOCK: But before I do, does
6 anybody need to take a break, in particular the court
7 reporter who has the hardest job here.

8 THE REPORTER: Yes, please.

9 MR. BLOCK: Let's take a five-minute
10 break if that's enough for everybody.

11 (Recess 10:25 a.m. to 10:32 a.m.)

12 Q. Dr. Jacobs, I'm going to mark, for the
13 record, a copy of your June 27, 2022, expert report
14 as Exhibit 4.

15 And I believe you have a copy in front of
16 you; is that right?

17 (Exhibit 4 marked.)

18 A. Yes.

19 Q. Very good. Then I will not put one up on
20 your screen.

21 If I understand the emails correctly,
22 Dr. Jacobs, you were retained by TPI sometime in the
23 winter 2021.

24 Does that sound right, to you?

25 A. I was retained by Mr. Melcher, not TPI,

Page 64

1 but I believe the date was correct.

2 Q. Sure.

3 You were retained by Mr. Melcher on behalf
4 of TPI --

5 A. Correct.

6 Q. -- right?

7 A. Correct.

8 Q. Sometime in late 2021 is when you were
9 retained by Mr. Melcher? Yes?

10 A. I think so. Either late '21 or early '22.

11 Q. Okay. And your report is dated June 27,
12 2022, although it was not actually disclosed to us
13 until the deadline, which was July 11, 2022.

14 Do you have any understanding of why your
15 report is dated June 27 even though it was provided
16 to us on July 11?

17 A. That's -- June 27 is when I completed it,
18 so that's all I can say.

19 Q. Sure. Yeah, obviously they didn't need to
20 give it to us before the deadline; I was just
21 curious about that two-week gap.

22 So you completed your report June 27, and
23 you'd obviously then reached your opinions by
24 June 27 of 2022, correct?

25 A. At that -- the opinions at that time,

Page 65

1 correct.

2 Q. Sure. We'll get to that.

3 But can you tell me when you reached your
4 opinions that you put in your June 27, 2022, report?

5 A. The date, no, I don't know the date.

6 Q. Was it before or after your site visit to
7 Atlanta -- to Seven Courts in Atlanta?

8 A. It would have been after the site visit.

9 Q. And can you tell me how you came to the --
10 I understood your methodology -- your description of
11 your methodology previously. But can you tell me,
12 like, how you came to form the opinions that you
13 express in your June 27th report?

14 A. It would just have been based on reviewing
15 the totality of the material in the file in addition
16 to the site inspection.

17 Q. So you sort of alluded to something, and
18 I'll ask it directly.

19 The very first line of your report after
20 "dear Mr. Melcher," is, This is a preliminary report
21 in the Caceres/Seven Courts matter.

22 And the -- I want to make sure I get it
23 right. I think it's paragraph 41. At the end of
24 your report reinforces that -- it's actually
25 paragraph 46, excuse me, excuse me, also refers to

Page 66

1 this is a preliminary report.

2 Can you tell me what do you mean by a
3 preliminary report?

4 A. That's standard language I use in case
5 additional facts, evidence, or discovery material
6 becomes available between the time I issue my report
7 and the time I'm deposed or the time of trial.

8 Q. Have your opinions changed at all since
9 the time of your report?

10 A. I don't think so.

11 Q. Since the time of your report, June 27,
12 2022, have you reviewed any additional evidence in
13 this matter?

14 A. There were a few depositions that were
15 taken after my report. I think Hugh Jacobs was one
16 of them I reviewed. I think there was a couple --
17 Rafael Lenz. I think there was a couple family
18 members as well, but my opinions did not
19 fundamentally change.

20 Q. Okay. Well, sure, so we can just get out
21 the list of witnesses who were deposed after
22 June 27th of your report. It was Hugh Jacobs, Erik
23 Zamora, Rafael Lenz, and then the two youngest Diaz
24 children. And I think they all were deposed after
25 the date you finalized your report.

Page 67

1 And I think you're telling me that none of
2 that testimony has, in your words, fundamentally
3 changed your opinions in this case?

4 A. That's correct.

5 Q. Is that right?

6 A. That is correct.

7 Q. After -- in addition to those depositions,
8 after finalizing your report on June 27th, did you
9 review any additional evidence or discovery material
10 from this case?

11 A. I reviewed the psychologist expert's
12 report just for my own edification and then whatever
13 exhibits were embedded in the depositions taken
14 after my report and before today.

15 Q. Okay. And other than those materials, did
16 you consider any other -- like, documents that were
17 produced in the litigation that -- did you review
18 anything like that after finalizing your report on
19 June 27th other than what would incidentally be in a
20 deposition transcript you were reading?

21 A. Nothing other than the discovery material
22 that was part of the totality of the file.

23 Q. So if we think about the language where
24 you say your report is preliminary, you also say in
25 your report that you hold these opinions to a

Page 68

1 reasonable degree of scientific probability. That's
2 paragraph 43.

3 First tell me, what do you mean by "a
4 reasonable degree of scientific probability"?

5 A. In the sense that would someone who
6 replicated my methodology in the field of
7 criminology reviewing the same set of materials that
8 I reviewed, would they more likely than not come to
9 the same or similar opinions, and that's what it
10 means, I believe.

11 MR. MELCHER: I'm just going to object
12 as far as it calls for a legal conclusion.

13 Q. So -- okay. Explain to me the interaction
14 between having preliminary opinions and holding them
15 to a reasonable degree of scientific probability.

16 A. In other words, based on all of the
17 material that I reviewed up to the point of writing
18 the report, these are the opinions. These opinions
19 are reproducible and reliable. However, if
20 additional material becomes available that I need to
21 review that may change those opinions, then I
22 reserve the right to do that. That's all it means.

23 Q. And do you have any staff or anyone who
24 assists you in preparing your opinions and reports
25 in a litigation support matter like this?

Page 69

1 A. No.

2 Q. Do you write your own reports?

3 A. Yes.

4 Q. How long did it take you, roughly, to
5 write your report in this case?

6 A. Well, it depends on what you count. I
7 mean, obviously I had to review all the documents,
8 do my site visit, have consultations with
9 Mr. Melcher and so forth. So that's all part of the
10 report even though it's not writing the report.

11 Are you talking about the physical writing
12 of the report?

13 Q. Yes, sitting at a computer.

14 A. I'm going to estimate three hours.

15 Q. Had you reached your opinions that you
16 offer in this report prior to completing, let's say,
17 a draft of the report?

18 A. Yes.

19 Q. All right. I want to go through your
20 report in some detail. So you have told me about
21 paragraph 1. Looking at paragraph 2, you say, My
22 scientific research focuses on serious criminality,
23 predatory violence, and illegal drug distribution.

24 I'm wondering if in your research
25 experience you find that there is a relationship of

Page 70

1 any kind between illegal drug distribution and other
2 forms of predatory violence or serious criminality?

3 A. There can be. It depends on the drug. It
4 depends on the level of the dealing hierarchy that
5 the players are involved in. It depends on the
6 relationships between the dealers and the users. It
7 depends on the neighborhood. There's a lot of
8 contingencies but it's possible, sure.

9 Q. Did you evaluate -- well, I'll just tell
10 you, I don't see any reference in your report to
11 consideration of whether there was drug activity at
12 Seven Courts.

13 Is that a fair interpretation of your
14 report?

15 A. I considered it. I don't know if I
16 focused on it in the report. I focused on predatory
17 violence.

18 Q. Sure. I'm going to ask you to define that
19 term in a minute, but first I want to stick with
20 drugs.

21 I have the ability to just do a word
22 search, which I could do on the screen for you, but
23 when I look for the word "drug," the only time it
24 comes up other than in reference to your general
25 background or papers that you -- papers that you

Page 71

1 might cite, so the only sort of case-specific
2 references to drugs are in the bullet points on
3 page 5 where you say -- echoing Ms. Wynn that TPI
4 had drug- and crime-free lease provisions and
5 routine vacant unit checks for squatters/drug
6 dealing.

7 So you can look at it too, but assume that
8 I'm right that your report doesn't have anything
9 explicit about considering whether there was illegal
10 drug activity at Seven Courts, can you tell me first
11 why your report wouldn't reflect any consideration
12 of drug activity at Seven Courts?

13 A. Because it's not predatory violence.

14 Q. So did you consider whether there was
15 evidence of drug activity at Seven Courts --

16 A. Sure.

17 Q. -- when forming your opinions in this
18 case?

19 I'm sorry. Yes, you did?

20 A. If it was part of the police reports, then
21 I reviewed it. Obviously some deposition testimony
22 was given about drug activity, so, yeah, it's not
23 like I ignored it. But, again, the analysis focuses
24 principally on predatory violence.

25 Q. I think you told me a minute ago that

Page 72

1 under some circumstances, drug activity can be
2 related to predatory violence.

3 Isn't that true in the field of
4 criminology?

5 A. In the ways that I described earlier, yes.

6 Q. Did you conduct any analysis specific to
7 this case to determine what types of drug activity
8 were going on at Seven Courts and whether those
9 types of drug activity were related to predatory
10 violence?

11 A. Sure through the police reports. If it
12 was drug involved and it led to an act of predatory
13 violence such as robbery or carjacking, I noted it.

14 Q. Where did you note it?

15 A. It would be on the police report itself.

16 Q. Well, I'm asking actually a slightly
17 different question which is sort of a meta question
18 or a systemic question.

19 Did you consider in evaluating the
20 evidence and forming your opinions in this case
21 whether there was evidence of systematic drug
22 problems at Seven Courts and whether any such
23 evidence might have played a role in patterns of
24 predatory violence at Seven Courts?

25 MR. MELCHER: Objection; form and

Page 73

1 asked and answered.

2 A. Yeah, I have answered the question. Yes,
3 I considered it, and I assessed whether and to what
4 extent any drug activity escalated to predatory
5 violence.

6 Q. I'm asking a different question, so I'm
7 going to have to ask it again. I'm not asking
8 necessarily about specific incidents and whether
9 someone was dealing drugs and then they were robbed
10 or other forms of escalation from drug activity to
11 predatory violence.

12 I'm asking you whether the presence of a
13 lot of drug activity at Seven Courts might have
14 played a role in patterns of predatory violence at
15 Seven Courts.

16 Did you sit down and conduct any formal
17 analysis of the evidence from that perspective?

18 MR. MELCHER: Same objection.

19 Go ahead.

20 A. I don't know how to do that other than the
21 police reports that I have analyzed, so yes, I did
22 that. And if it was linked to predatory violence, I
23 noted it.

24 Q. And why did you not include that in your
25 expert report?

Page 74

1 MR. MELCHER: Objection; form.

2 A. I don't think the drug issue was a central
3 issue in this case unless -- there's no allegations
4 that your clients were drug dealers, so I don't -- I
5 don't know why it would have been central to my
6 report.

7 Q. I want to make sure I understand what you
8 did in this case.

9 You've told me a couple of times that when
10 you were reading police reports, you would note
11 whether drugs were involved in one form or another.

12 Is that what you told me?

13 A. When you asked me did I consider drugs in
14 my assessment, if -- the consideration would have
15 been along those lines.

16 Q. Right.

17 Did you step back and consider whether
18 there was a pattern of drug activity at Seven Courts
19 and whether that pattern might be related to a
20 pattern of predatory violence at Seven Courts?

21 A. If, in fact, it existed, of course. But,
22 again, I have already answered that question.

23 Q. Well, I don't think you have,
24 respectfully. I think what you're telling me is
25 that as you went through the APD reports, you made a

Page 75

1 note about whether there was drug activity reflected
2 in a particular report.

3 I'm not hearing you testify that you
4 stepped back and took a broader look to examine
5 whether there are overall patterns or trends of drug
6 activity at Seven Courts and then whether those
7 overall patterns or trends could have been linked to
8 the patterns of predatory violence at Seven Courts.

9 MR. MELCHER: Objection; form and
10 speculation.

11 A. That's how you do it. You analyze the
12 police reports, which is exactly what I did. So,
13 yes, I did do that.

14 Q. Okay. So tell me what -- did you sit down
15 and total up all of the -- all of the APD reports
16 that reflected drug activity?

17 A. I analyzed any reports -- I considered all
18 the police reports. I analyzed any reports in
19 particular that were relevant to predatory violence.
20 The extent to which they're drug involved or not
21 would be reflected in the report or not. And if
22 they were, I noted it.

23 If they weren't, I don't know how you
24 would determine that X, Y, or Z drug activity led to
25 X, Y, or Z predatory violence unless there's some

Page 76

1 notation of it in the report. Otherwise, you're
2 just speculating.

3 Q. Would it matter to your analysis of crime
4 conditions at a property whether there were repeat
5 instances or recurrent instances over time of
6 illegal drug activity?

7 A. It would depend on the nature of the
8 activity; who it involved; the kind of drug; again,
9 whether it was violent; whether it was predatorily
10 violent and so forth.

11 Q. Did you conduct such an analysis of the
12 evidence in this case?

13 A. I analyzed all the police reports for the
14 property for the three years prior. So like I said,
15 if they were linked to predatory violence, then I
16 noted that.

17 Q. Yeah, I'm hearing that you made notes on
18 pieces of paper. I'm asking what you did with that
19 data.

20 Did you, in your mind or in writing or any
21 way else, sit down and look at whether there were
22 patterns of trends of recurrent drug activity at
23 Seven Courts?

24 A. I don't think I made notes of that
25 specific issue.

Page 77

1 Q. Would it matter -- let me start that over.

2 Assume with me that the manager of a
3 property like Seven Courts is herself involved in
4 illegal drug activity, just assume that I'm right
5 about that, might that involvement of management in
6 illegal drug activity --

7 MR. MELCHER: Objection; form.

8 Q. -- affect --

9 MR. BLOCK: I'm not done with my
10 question.

11 MR. MELCHER: All right.

12 Q. -- affect the crime conditions at that
13 property?

14 MR. MELCHER: Objection; form and
15 calls for facts not in evidence.

16 Go ahead.

17 And requires speculation.

18 A. Yeah, I mean, what you just said was
19 reflected in some quite inflammatory allegations by
20 Mr. Holt, none of which were corroborated by anybody
21 else in the file, including former employee Maggie
22 Fontaine, ex-security officer Hickey, there's a
23 30-year law enforcement veteran, and Ms. Wynn
24 herself. So I can't really answer that question
25 because it's asking me to assume something that has

Page 78

1 been contradicted by numerous deponents.

2 Q. Well, let's remember that you're not a
3 juror so you don't get to weigh the evidence. I'm
4 just asking you a hypothetical question because
5 that's something as an expert you can answer.

6 Assume with me for the sake of argument
7 that management was involved in illegal drug
8 activity. Would that involvement by management in
9 illegal drug activity have any influence over the
10 crime conditions at a property like Seven Courts?

11 MR. MELCHER: Same objection.

12 A. Potentially.

13 Q. What if the Atlanta Police Department had
14 threatened to seize Seven Courts for having
15 recurrent illegal drug activity? Would that affect
16 your analysis of the drug problem and crime
17 conditions at Seven Courts?

18 MR. MELCHER: Same objections.

19 A. You're talking about seizing the property
20 because of drug dealing?

21 Q. Yes.

22 MR. MELCHER: Same objection.

23 A. Is that a fact in evidence? I don't think
24 I have ever seen that before.

25 Q. Well, I think we have established that

Page 79

1 TPI's lawyers didn't show you all the evidence.

2 MR. MELCHER: That --

3 Q. Just assume with me --

4 MR. MELCHER: Aaron, no.

5 Q. Let me --

6 MR. MELCHER: No. That is
7 objectionable, and I request that you withdraw that
8 and restate.

9 MR. BLOCK: I will withdraw my
10 editorialization. I shouldn't be paying you back for
11 your speaking objections like that.

12 MR. MELCHER: I'm not making speaking
13 objections; they would be four paragraphs long. I'm
14 simply stating grounds. I'm doing what the federal
15 courts require. I'm only laying out grounds.

16 But I resent the continuing --

17 Q. Doctor --

18 MR. MELCHER: -- implications that we
19 have, you know, withheld evidence either from you or
20 a witness or whatever.

21 Q. Dr. Jacobs, assume with me for the sake of
22 argument that the Atlanta Police Department or the
23 City of Atlanta, acting through the police
24 department, had threatened to seize Seven Courts for
25 recurrent drug activity on the property.

Page 80

1 Would that affect your analysis of crime
2 conditions at Seven Courts?

3 MR. MELCHER: I'm just going to object
4 and point out that discovery is closed and there has
5 been no suggestion whatsoever to date that that was
6 even a possibility.

7 Subject to that objection, if you
8 understand the question, you can answer.

9 A. I don't know the answer to that question.
10 I'm not sure.

11 Q. Why are you not sure?

12 A. Because I'd need to see the specific
13 allegation that you're making and the substance of
14 it, the evidence behind it. These are very
15 inflammatory allegations that you're making, so I
16 would have to really analyze that carefully if that
17 was, in fact, true.

18 Q. And just so we're all clear, that's not
19 something you analyzed in the context of this case,
20 is it?

21 MR. MELCHER: Objection; form.

22 A. I have seen no evidence that the Atlanta
23 Police Department was about to seize Seven Courts
24 for drug dealing.

25 Q. And I think what you're telling me is that

Page 81

1 if there was such evidence, that's something you
2 would want to consider and study carefully to see
3 how it affected your opinions?

4 MR. MELCHER: Objection; form,
5 mischaracterizes testimony.

6 A. I don't know. I mean, again, I reviewed
7 all the available discovery provided to me. That's
8 all I can say.

9 Q. Let me turn back to your report. I want
10 to look at paragraph 7. And paragraph 7 is where
11 you describe your, quote, professional outreach with
12 numerous business and/or private individuals on
13 issues of crime analysis, security, guard duties and
14 deployment, crime prevention posturing, and/or crime
15 deterrence.

16 And then you describe those entities to
17 include a supermarket conglomerate, a hotel chain,
18 fast-food restaurants, and two private sector
19 property management and development companies that
20 oversee more than 40,000 apartment units in at least
21 20 states.

22 I just want to call your attention to
23 that, Dr. Jacobs. You say at the end of paragraph 7
24 that you, quote, catalogued specific techniques for
25 establishing an adequate crime prevention posture as

Page 82

1 well as the scientific/empirical basis for those
2 techniques. This outreach is based on the same
3 methodology I applied in the present case.

4 Do you see that in paragraph 7 of your
5 report?

6 A. Yes.

7 Q. Okay. And so what I understand you to be
8 saying in a nutshell in paragraph 7 is that the --
9 for crime identification or, really, crime
10 prevention posture framework and opinions that
11 you're offering in this case are the same as those
12 that you offer to private clients who consult you
13 outside of litigation.

14 Is that a fair read of what you're trying
15 to say in paragraph 7?

16 A. I would say that, yeah, the same
17 methodology that I use inside these cases is the
18 same methodology and findings and studies that I
19 would convey outside of litigation, yes.

20 Q. And do you still have -- where -- let me
21 ask you, where did you catalogue specific techniques
22 for establishing an adequate crime prevention
23 posture as well as the scientific/empirical basis
24 for those techniques?

25 A. So that's everything in the report, like

Page 83

1 SCP, CPTED, which is C-P-T-E-D, you know all the
2 crime pattern analysis, the camera research, the
3 lighting research, the guard research, the policing
4 research. That's all the same. That doesn't
5 change.

6 Q. So I guess I read your paragraph 7 a
7 little differently. When I read you to say that you
8 catalogue specific techniques for establishing an
9 adequate crime prevention posture, I'm understanding
10 you to be saying that you catalogued in the sense of
11 you wrote down for your consulting clients what an
12 adequate prevention posture would be.

13 Is that what you're trying to say here?

14 A. I would say it's typically more verbal,
15 these discussions with these organizations or
16 individuals, where I describe -- typically I don't
17 provide a written document per se. It's more of a
18 conversation dialogue with these individuals or
19 businesses.

20 Q. So if a supermarket conglomerate with over
21 \$2 billion in annual revenues or a hotel chain with
22 assets over a billion dollars wants to engage you as
23 a consultant, you're telling me that you just give
24 them security advice verbally and you don't share
25 with them any kind of written work product they can

Page 84

1 use to shape their organization security prevention
2 posture?

3 A. No.

4 MR. MELCHER: Objection; form.

5 A. If that's the -- that's a different
6 question. If they requested that, I absolutely
7 would provide it. But typically that's not the
8 format of these consultations. The format is
9 educating them on crime analysis, crime deterrents,
10 crime prevention, the limits of lighting, the limits
11 of gating, the limits of fencing, the limits of
12 guards, and whether or to what extent they need
13 these things based on their pattern.

14 Now, if they hire me specifically to, you
15 know, do a -- for example, a security vulnerability
16 assessment and give them specific -- specific
17 tactics that I would recommend, then I would provide
18 that in writing. That's not typically what that
19 paragraph refers to. These are more consultations,
20 dialogue, interactions that are separate from some
21 sort of formal written document.

22 Q. Have you in the last few years -- let's
23 limit it to the last, you know, four years: Have
24 you ever created written documents for some of these
25 private clients of yours to advise them on security

Page 85

1 prevention?

2 A. In terms of a formal written document,
3 probably not. These would be more discussions,
4 advise and counsel, as opposed to a written
5 document. But I just can't recall if it involved
6 beyond that, at this point.

7 Q. Are these fairly minor engagements for
8 you?

9 A. I'm not sure what you mean about that. I
10 mean, I wouldn't call them minor, especially to the
11 people asking me. But this is part of my
12 professional outreach as a criminologist. You know,
13 I consider it one of the three prongs of my job as a
14 criminologist, which is service.

15 So if they hired me separately from that
16 to do -- you know, provide them a formal written
17 document, then I certainly would consider doing
18 that. But this is -- this is a little different
19 from that.

20 Q. Tell me then what kind of -- tell me about
21 the form this outreach takes because the way you're
22 describing it sounds like it's fairly brief and
23 informal.

24 A. Well, it depends. Like, I have gotten
25 calls from entities that, you know, want to do some

Page 86

1 sort of phone conference where we talk about
2 security measures, crime patterns, the relevance of
3 lighting, cameras, and guards. There's other
4 contacts -- frankly, a lot of my contacts are
5 probably made from litigation, and then the advice
6 and counsel would extend from there. So that's how
7 they come to know who I am. I hope that answers
8 your question.

9 Q. Well, let's just go specifically here.
10 Let's start with the supermarket conglomerate
11 reporting over \$2 billion in annual revenues.

12 What did you do for them?

13 A. So I met with their risk management
14 personnel, I met with their legal team, and I
15 discussed all the things that I'm describing to you
16 today and whether and to what extent they needed to
17 implement these things at their various stores. So
18 that would be an example of what I did in that
19 particular case.

20 Q. And did you give them any kind of written
21 description of the security measures that they
22 should consider or employ?

23 A. I don't recall giving them a written
24 description, no; it was an in-person meeting.

25 Q. What about that hotel chain reporting

Page 87

1 assets over a billion dollars, what did you do for
2 them?

3 A. Same thing.

4 Q. Just an in-person meeting with no
5 substantive written documentation of your
6 recommendations?

7 A. Well, they -- I think they wrote a bunch
8 of things down, but I didn't provide them something
9 written.

10 Q. How about the Fortune 1000 fast-food
11 restaurant corporation --

12 A. That was a --

13 Q. -- that recently posted --

14 (Simultaneous speaking.)

15 A. Yeah, that was -- that was following a
16 homicide at a fast-food restaurant. And I -- I
17 believe it was a telephonic meeting between the
18 legal representation and the risk management of the
19 company following that litigation.

20 Q. And just so I understand, these
21 engagements, are these -- were you retained as a
22 litigation consultant or expert or -- like, in other
23 words, were you assisting with the defense of the
24 case or was this general business advice you were
25 providing?

Page 88

1 A. Well, like I said earlier, this would have
2 been general business advice and counsel following
3 retention. And so it was separate from the
4 retention but that's how they got to know who I was.

5 Q. And how about the two private sector
6 property management and development companies that
7 oversee more than 40,000 apartment units, what did
8 you do for them?

9 A. Same thing. So that was, again, I
10 believe -- this is a while ago, but I think that was
11 telephone conference with the risk manager and I
12 think -- I think the representative of the apartment
13 ownership group, but it has been a while, but again,
14 same kind of stuff that I have already described
15 like when do you need a guard? How do you know you
16 need a guard? What kind of guard do you need?
17 What -- how does the crime pattern inform you of the
18 kind of guard you need and when you need to deploy
19 them? How do you determine if your property is a
20 hot spot? How do you determine if your property
21 is a hot spot only on specific burning times? To
22 what extent should cameras be implemented at your
23 property? To what extent do cameras have a violence
24 prevention effect? To what extent does lighting
25 have a violence prevention effect? To what extent

Page 89

1 do you need to take specific measures at your
2 property that you're not engaging in to make your
3 property safer?

4 So these are all the things that -- and
5 many more -- that would have come up in these
6 interactions in this consultation. So I hope that
7 answers your question.

8 Q. Let's look at paragraph 8 where you
9 describe your multi-year term as chair of the
10 University's Safety and Security Council. And the
11 gist of this paragraph, as I understand it, is that
12 the UT Dallas has a security plan and you were
13 involved with developing and implementing the
14 security plan. Is that fair?

15 A. Well, the -- so I served a multi-year term
16 as the chair. The plan was largely in place. At
17 the point that I came on board the council, these
18 are essentially periodic meetings to revisit
19 security-related issues that may or may not be
20 encompassed by the plan.

21 But the council itself was tasked with
22 developing, implementing, and evaluating the plan,
23 so that's what the council did. Obviously we worked
24 in tandem with the UTD Police Department, with
25 environmental health and safety, with the emergency

Page 90

1 management, with facilities planning, and so forth
2 to -- as a product of these various meetings.

3 Q. I'm going to ask you about that plan a
4 little bit later.

5 If we turn -- actually, you've used some
6 terms in your deposition today that you use in your
7 report, and I think it would make sense for us to
8 just define them now so that I'm on the same page
9 with you when I hear you use a term.

10 So one of the terms that you use in your
11 report is "foreseeability," correct?

12 A. Can you specify the paragraph?

13 Q. Well, sure. Let me put that -- yeah. So
14 you say -- well, in paragraph 11, you say that you
15 have provided continuing legal education seminars to
16 address topics like crime foreseeability and others.

17 And in -- that actually might be the only
18 time you use the word "foreseeability" other than
19 some general references about foreseeability. But I
20 do think that you use concepts like foreseeability
21 in your report when you say that there was -- there
22 was no -- that TPI didn't have sort of advanced
23 warning of this incident.

24 So let's do a couple things: Do you in
25 this case have an opinion about whether any of the

Page 91

1 attacks on the Diaz family was foreseeable by TPI?

2 MR. MELCHER: Objection; form.

3 A. I don't think I'm offering foreseeability
4 opinions in this case. It's really -- the opinion
5 focuses on the reasonableness of the security
6 measures relative to the risk.

7 Q. And why do you have -- why do you not have
8 a foreseeability opinion in this case?

9 A. Probably in discussions with Mr. Melcher
10 that this was the focus of my opinions. I think
11 that was the core issue in the case is was -- were
12 the measures -- were the security measures in place
13 at the time of the incident adequate and reasonable
14 relative to the risk. So that's how I looked at the
15 scope of my inquiry.

16 Q. Well, wouldn't that inquiry require you to
17 identify what the risk was?

18 A. Right.

19 And I did, I looked at the police reports
20 to assess whether and to what extent, for example,
21 an armed security patrol, a dedicated, fixed, armed
22 security patrol was necessary at the property on
23 July 22, 2021. And so that's part of what I did,
24 yes.

25 Q. Yeah, I'm trying to understand here

Page 92

1 because it seems to me, like, if you're -- what I
2 hear you saying is that you're trying to measure the
3 existing security measures at TPI or at Seven Courts
4 against the risk of what happened to the Diaz
5 family.

6 And so it seems to me like -- I'm
7 wondering how you can evaluate whether measures are,
8 you know, appropriate relative to a risk without
9 having a sense of what the risk is. So maybe you
10 can explain that for me conceptually.

11 MR. MELCHER: Objection; form.

12 A. Like I said earlier, I assessed the risk
13 of predatory violence. The pattern is described in
14 my report, paragraph 24, and 25, and 26, 27, 28. So
15 I did assess the risk.

16 And, you know, the analysis focused on
17 whether, you know, a dedicated armed security guard
18 was needed at the property on the night in question.
19 In my opinion, the pattern did not justify it.

20 Q. And so here is what I'm trying to get at
21 is -- and we'll go through your rationale in some
22 more detail, but just at the conceptual level here,
23 I'm trying to understand how you could measure the
24 adequacy of measures against the risk without having
25 an estimate of risk.

Page 93

1 A. I think I just answered the question. I
2 mean, I did assess the risk and it is part of the
3 opinion.

4 Q. Okay. So tell me then how an assessment
5 of the risk differs from an assessment of whether a
6 violent crime such as the Diaz family experienced is
7 foreseeable.

8 MR. MELCHER: Objection; form.

9 A. It's a different inquiry.

10 Q. Well -- okay. So explain to me what's
11 different about an inquiry into whether the attack
12 was foreseeable as opposed to the risk that the
13 attack would happen.

14 A. Well, I'm not sure how to articulate that
15 as I sit here, but like I said, my understanding is
16 that the nature of my inquiry was to assess whether
17 the security measures in place at Seven Courts were
18 adequate and reasonable relative to the risk.

19 So obviously the risk I focused on was
20 predatory violence, the extent to which property
21 crime escalated the violent crime, the extent to
22 which Seven Courts had notice that this crime was
23 going to happen. But that's not foreseeability per
24 se; it's whether the measures that they had in place
25 were adequate and reasonable.

Page 94

1 Q. Okay. So you have told me that you do not
2 have what you understand to be a foreseeability
3 opinion in this case. Is that fair?

4 A. I think that's fair.

5 Q. But you do have an opinion about the risk
6 or likelihood of whether the Diaz family would
7 experience what actually happened to them, a violent
8 armed robbery in July 2021; is that what you're
9 telling me?

10 MR. MELCHER: Objection; form.

11 A. No. No. It's -- once again, it's were
12 the measures listed in my report adequate and
13 reasonable relative to the pattern of predatory
14 violence leading up to this incident.

15 Q. Okay. You mentioned notice a minute ago.

16 Do you have an opinion in this case about
17 whether TPI had notice that an attack on the Diaz --
18 well, really doesn't have to be on the Diaz family,
19 so let me back up and start that question over.

20 Do you have an opinion in this case about
21 whether TPI had notice that tenants at Seven Courts
22 in July of 2021 might be at risk from a violent or
23 predatory crime?

24 A. Do I have evidence that they had notice?

25 Q. I'm asking you -- well, I'm going to first

Page 95

1 ask if you have an opinion about whether TPI had
2 notice.

3 A. I don't think I have an opinion on that.

4 Q. And why not?

5 A. I don't think I was asked to offer that
6 opinion.

7 Q. So if you go, Dr. Jacobs, to page 11 of
8 your report and you look at paragraph 42, which is
9 your "in closing" paragraph, the second sentence
10 reads, Seven Courts had no notice of imminence of
11 harm.

12 So I read that to be an opinion from you
13 as to whether Seven Courts had notice of imminence
14 of harm. I'm just reading it literally.

15 A. Imminence of harm is a criterion in
16 forensic criminology which asks whether, to what
17 extent there's clues at or near the time of the
18 incident that the property knew about, didn't react
19 to, and had they known and reacted to them, they
20 could have done something to prevent the incident.

21 So there's no evidence that, for example,
22 Latoya Wynn saw this criminal lurking on the
23 property that day, saw him casing the property, saw
24 him, you know, sizing up these -- your clients for a
25 robbery. There's no evidence about any of that.

Page 96

1 And so imminence of harm gets at the
2 situational cues at or near the time of the incident
3 that would possibly have given the landlord or the
4 defendant notice that something really bad was about
5 to happen and then they did nothing to despite that
6 notice. So there's no evidence of that.

7 Q. And I want to understand what you mean.

8 When you offer this imminence of harm
9 opinion, are you talking about notice in the moments
10 or hours before the attack?

11 A. Yeah, imminence of harm typically focuses
12 on the window of time close to the incident itself
13 to see if the defendant had notice that something
14 was about to happen.

15 Q. And in this case, what kind of window are
16 you using when you offer this opinion about whether
17 TPI had notice of imminence of harm?

18 A. Well, I mean, in this kind of case, it
19 would be, you know, in the moments at or near the
20 time of the incident.

21 Q. And so it's what I'm hearing from you is
22 that you're not offering an opinion about whether
23 crime at Seven Courts in the days, weeks, months,
24 years prior to the July 2021 attack created notice.
25 Is that fair?

Page 97

1 MR. MELCHER: Objection; form.

2 A. I don't think I'm offering an opinion on
3 that issue.

4 Q. Okay. Just so I understand and because
5 there was an objection, do you have an opinion in
6 this case about whether crime reported at Seven
7 Courts in the three years prior to the July 2021
8 attack on the Diaz family would have put TPI on
9 notice of the risk of what actually happened to the
10 Diaz family?

11 A. I don't think I'm offering an opinion on
12 that issue.

13 Q. One phrase that you have used in this
14 deposition and in your report is "reasonable" and
15 you have also used the phrase "adequate." And just
16 to keep it simple, are you sort of using
17 "reasonable" and "adequate" as more or less
18 synonyms?

19 A. I'm not sure. I think they mean slightly
20 different things. I like to use them both. But I
21 have to really think about the distinction between
22 the two.

23 Q. Okay. Well, why don't you define them
24 both for me.

What does "reasonable" mean as you use it

Page 98

1 in your opinions in this case?

2 A. "Reasonable" typically means, you know, if
3 other regular people were facing the same or similar
4 circumstances, would they have acted in the same or
5 similar manner. That's kind of how I look at
6 "reasonable."

7 And then "adequate" is more do the
8 measures -- do the measures in place, are they
9 generally consistent with practices associated with
10 crime prevention approaches specified in the
11 peer-reviewed scientific criminology literature.

12 Q. Okay. So let's stick with "reasonable"
13 for a minute, and I thank you for giving me the
14 definition that you're using in this case.

15 Where do you get the definition of
16 "reasonable" that you're using in this case?

17 A. I just gave it to you. I don't know.
18 It's something that...

19 Q. From where do you derive it? That's what
20 I'm asking you.

21 A. Just my understanding of the term.

22 Q. Based on what?

23 A. Just, I suppose, understanding of the
24 English language. I mean...

25 Q. Well, I mean, we all use the word

Page 99

1 "reasonable" in different facets of our life, but
2 you're here as an expert testifying in litigation.
3 And so I'm trying to ask you how you -- how you
4 derive the definition of "reasonable" that you use
5 to frame your opinions in this case.

6 A. It's probably from my reading and training
7 in forensic criminology.

8 Q. Is it a legal standard that you think
9 you're using when you say "reasonable"?

10 A. I would say it's more of a term relevant
11 to forensic criminology and the various literature
12 that examines the concept of reasonableness in the
13 context of that literature, a lot of which I
14 provided you through the ShareFile link.

15 Q. And so is there a definition of
16 "reasonable" in the peer-reviewed literature that
17 people in your field all use and apply to mean the
18 same thing?

19 A. I would have to point you to the
20 literature in forensic criminology. I can't cite a
21 chapter and verse as I sit here.

22 Q. And how do you, to form your opinions in
23 this case, evaluate whether TPI's conduct is
24 reasonable?

25 A. From the standpoint of a criminologist and

Page 100

1 whether the violent crime pattern would have
2 justified security measures that were not in place
3 at the time of the incident.

4 Q. And how do you perform that inquiry?

5 A. Through the methods I described earlier.

6 Q. The triangulation and analytic induction
7 and content analysis?

8 A. Domain analysis, crime pattern analysis,
9 and all the various sub-techniques, yes.

10 Q. And how, then -- specifically how do you
11 arrive at a determination based on those techniques
12 whether security measures are or are not reasonable?

13 A. Based on -- I think I just answered that
14 question. It's based on the -- the content
15 analysis, the domain analysis, the crime pattern
16 analysis, and whether and to what extent those --
17 the data suggests that the property warranted
18 security measures that it did not have in place on
19 the night in question.

20 Q. And I appreciate that you're giving me the
21 sort of summary answer. I'm trying to ask you the
22 detail question.

23 How do you use these techniques you've
24 referenced to reach a specific conclusion about
25 whether security measures are reasonable?

Page 101

1 A. Well, security measures in general will be
2 determined by the data points that are listed in my
3 report as they relate to whether those data points
4 are consistent with the peer-reviewed criminological
5 guidelines in crime prevention such as situational
6 crime prevention and crime prevention through
7 environmental design. So that's a simple comparison
8 exercise that I did in my report.

9 The armed security issue is a more narrow
10 issue of, you know, was -- was the property, for
11 example, a violent crime hot spot at or near the
12 time of the incident, and if it was a violent crime
13 hot spot, would it have justified a particular
14 security deployment.

15 And so the hot spot analysis, that comes
16 directly from -- from crime pattern analysis, which
17 I have described earlier, which is also found in
18 methodology that police departments, including APD,
19 use all over the country called Compstat, which is
20 essentially you're analyzing crime by address, by
21 type of occurrence, by time of occurrence, by
22 victim-offender relationships, by motive, by weapon
23 involvement, so on and so forth to determine, you
24 know, whether a ramped-up security presence is
25 justified.

Page 102

1 So I did all that and, you know, my
2 report, paragraph 24, essentially describes how in
3 the 11 months leading up to the subject incident, I
4 believe there's only one nighttime act of predatory
5 violence or predatory gun crime in the 11 months
6 preceding the incident.

7 So based on a standard hot spot analysis
8 that really virtually any police department would
9 do, if they looked at a property and said this
10 property hasn't had a single nighttime predatory gun
11 crime in almost a year, would we recommend, for
12 example, a dedicated, fixed policing presence at
13 this property every night of the week, seven days a
14 week, absolutely not. They would never do that.

15 And that's the methodology that I use is
16 the methodology used by police departments around
17 the country, security experts on hot spot analysis
18 which is based on crime pattern analysis and the
19 various variables involved therein.

20 (Off-the-record conversation.)

21 Q. Another term that you use in your report
22 is "standard of care."

23 What do you mean by "standard of care"?

24 A. Can you show me the paragraph?

25 Q. On page 6 of your report, paragraph 23,

Page 103

1 you say -- this is in the fourth line down, This is
2 not the expected standard of care in the security
3 industry for a crime of this type with this fact
4 pattern.

5 So if you use it in your report, what do
6 you mean by "standard of care"?

7 A. What paragraph again?

8 Q. 23.

9 A. Okay. So in other words, is there any
10 security organization, any national written standard
11 that suggests or dictates that a guard should have
12 been posted by the plaintiffs' unit at or near the
13 time of the incident. There's no standard in the
14 country that I'm aware of that says anything close
15 to that.

16 Q. Do you really think that our theory in
17 this case is that an armed guard should have been
18 right outside the Diaz family's unit and not moving
19 anywhere else?

20 MR. MELCHER: Objection; form.

21 A. I can't speak for your approach to this
22 case.

23 Q. Come on. Okay. I will just tell you
24 our -- I know you don't actually think that's our
25 theory. I'm not sure why you shot at that in your

Page 104

1 report.

2 Assume that our theory is that an armed
3 guard should have been present at Seven Courts
4 during the hot summer evenings of July 2020.

5 A. Where? By building G?

6 Q. So let me --

7 A. Building D? By the leasing office? By
8 the pool if there is a pool?

9 Q. Hold on. It's not -- okay.

10 All right. Let's just assume that we
11 don't think every unit should have its own armed
12 guard right by the door like a bank safe. What do
13 you mean -- actually, we can even take it out of the
14 context of -- not the case but of the specifics
15 there.

16 You use a term "standard of care" in your
17 report. What do you mean by "standard of care"?

18 A. I already answered that question.

19 Q. So I understand you to be saying "standard
20 of care" means published standards by professional
21 bodies or organizations or institutions such as
22 what?

23 A. ASIS, A-S-I-S; IAPSC; American Society of
24 Criminology; Academy of Criminal Justice Scientists;
25 ANSI, A-N-S-I. I mean, some sort of professional

Page 105

1 organization that says, here is a standard and
2 here -- it's a written standard and this is what we
3 expect. That's a standard of care.

4 Q. And you refer in that same sentence to the
5 security industry.

6 What do you mean by "security industry"?

7 A. So that would be one of the
8 security-related organizations such as ASIS or
9 IAPSC.

10 Q. I want to -- I want to understand the role
11 that a written standard, as you just described it,
12 plays in you forming your opinions in this and other
13 cases where you're a litigation consultant.

14 Do you require there to be a written
15 standard by one of these professional bodies before
16 you testify that a particular security measure is
17 the standard of care?

18 A. Do I require that, no. But that's --
19 that's one of the points is these organizations may
20 issue guidelines or something of that nature but
21 they're not -- they're guidelines and that's it.

22 And so given that it really has to be
23 justified -- for example, an armed security presence
24 really has to be justified, you know, by a pattern
25 of predatory violence that suggests the property

Page 106

1 really absolutely needed a dedicated, fixed presence
2 on the night in question.

3 Q. Another term that you use -- and this is
4 on page 5, footnote 6, is "customs and practices."
5 And you're referring to "customs and practices" for
6 certain security measures among similar type
7 properties in the same general area.

8 What do you mean by "customs and
9 practices"?

10 A. I think it's pretty self-explanatory what
11 other folks or entities are doing relative to these
12 same issues.

13 Q. And I want to go through these terms and
14 understand if these are terms that you use in your
15 academic work, whether it's research or teaching
16 students.

17 You research or teach your students about
18 the standard of care as you have defined it?

19 A. Depends what the class is about.

20 Q. In what class would you teach your
21 students about the standard of care?

22 A. If we're talking about violent crime
23 prevention, that issue might come up.

24 Q. How would it come up?

25 A. For example, when we discuss robbery risk

Page 107

1 at convenience stores, one of the issues we talk
2 about is whether, for example, two clerks is a
3 standard of care in the convenience store industry.
4 That would be one example.

5 Q. All right. Let's look at -- excuse me --
6 paragraph 16 of your report.

7 A. You say 16?

8 Q. Uh-huh, paragraph 16. Starts at the
9 bottom of page 3. This is where you describe the
10 materials that informed this report. So you have
11 the complaint, the answer, TPI's responses to
12 plaintiffs' first set of discovery requests.

13 And are you referring to the actual, like,
14 written litigation document that contains TPI's
15 responses where they say objection this, that, or
16 the other thing and then the answer?

17 A. Whatever was provided to me that's listed
18 as that file name is what I'm referring to.

19 Q. Okay. Then we have that in the file.

20 There's the APD reports, and the attorney
21 summary of APD reports, the 911 call, the
22 plaintiffs' responses to TPI's discovery requests,
23 some depositions, and you have testified that there
24 were additional depositions you reviewed after your
25 report.

Page 108

1 So tell me about how you reviewed the
2 depositions in this case. What did you do?

3 A. I read every page and absorbed the
4 material. I'm not sure how to answer that.

5 Q. Did you take notes?

6 A. I took some notes in preparation for the
7 opinions today. If that's what you mean, yes.

8 Q. That's the notes that we have marked as
9 Exhibit 2 --

10 A. Yes.

11 Q. -- and that you brought today?

12 A. Correct.

13 Q. So your testimony is you read every page
14 of every deposition that you were provided in this
15 case?

16 A. Correct.

17 Q. And then you refer to your site inspection
18 and area canvass and interview with the property
19 manager.

20 So did you review -- so setting aside the
21 APD, the Atlanta Police Department, reports, did you
22 review internal incident reports generated by TPI
23 employees?

24 A. Yes. If they were provided in the file, I
25 reviewed them.

Page 109

1 Q. And so I think what you mean by provided
2 in the file is incident reports that were attached
3 as exhibits to depositions you were provided.

4 Is that what you mean?

5 A. Either that or Mr. Melcher's responses to
6 requests for production.

7 Q. Well, so when I look at what was contained
8 in your file, I don't see a collection of incident
9 reports at all, frankly, other than what might be
10 referred to as an exhibit in a particular
11 deposition.

12 So what I'm asking you is did you get a
13 stack or ask for a stack or receive a stack of all
14 of the incident reports for Seven Courts, to your
15 knowledge?

16 A. I asked for all -- to my recollection, I
17 asked for all internally generated incident reports.
18 And so whatever was provided, was provided.

19 Q. Did you review other than what might have
20 been marked as an exhibit in deposition, did you
21 review text messages from the TPI employees and
22 security contractors when they were texting about
23 crime conditions at Seven Courts?

24 A. I don't think anything other than the --
25 what was provided as exhibits or mentioned or

Page 110

1 referenced as exhibits to the depositions. I don't
2 recall the specific file names along those lines.

3 Q. Would it be your typical practice to ask a
4 defendant, in particular a defendant like TPI that
5 owns and operates or manages a property, to share
6 with you all of the incident reports during the
7 reference period?

8 A. Yes.

9 Q. And why would you want to see those
10 incident reports?

11 A. Well, especially as it relates to violent
12 crime, I want to see if there's anything being
13 reported internally that was not being reported to
14 the police department.

15 Q. Because in order for you to conduct a
16 reliable analysis of crime conditions at the
17 property, you need all the data, not just what's in
18 the police department reports, correct?

19 A. As it relates to predatory violence, I
20 would tend to agree.

21 Q. All right. So paragraph 18 of your report
22 is where you describe content analysis, which you
23 have testified is a technique or method you used in
24 this case, correct?

25 A. Among several, yes.

Page 111

1 Q. And what forms of evidence or information
2 do you perform content analysis on?

3 A. All the depositions, the relevant
4 exhibits, the interrogatory answers, responses to
5 requests for production, depositions, police
6 reports, internal reports if available, the totality
7 of the file materials is what you do the analysis
8 on.

9 Q. And how do you perform a content analysis
10 on those file materials?

11 A. I think I specified that in my subpoena
12 response where I develop axial codes, selective
13 codes; and then ultimately before I'm deposed or
14 within the report itself, I will convert those codes
15 into themes or concepts that drive the report or my
16 deposition notes.

17 Q. In paragraph 19, you refer to analytic
18 induction. Can you tell me how you use the
19 technique of analytic induction to reach your
20 opinions in this case?

21 A. Sure. That's where you compare all the
22 data points that you have developed from the
23 discovery material to see whether and to what extent
24 they're consistent with practices and crime
25 prevention that are peer-reviewed in criminology

Page 112

1 such as situational crime prevention and crime
2 prevention through environmental design.

3 You also compare the data points to other
4 relevant literatures in the field of, like, for
5 example, lighting, cameras, uniform patrol, to see,
6 again, whether and to what extent the data points --
7 how those data points line up with the peer-reviewed
8 scientific literature in criminology.

9 So analytic induction is really where
10 you're taking your data -- in this case, the data
11 come from the discovery materials -- and you're
12 trying to assess whether the data and the data
13 points are consistent with the peer-reviewed
14 findings in criminology on these relevant areas.

15 Q. Can you point me to anywhere in your
16 report where you walk through a process of analytic
17 induction?

18 A. 25, doesn't warrant a roving, armed
19 security patrol, that's based on hot spot analysis,
20 crime pattern analysis, which is analytic induction.

21 26, 27, 28, that's all about the property
22 crime, violent crime, escalation phenomenon, that's
23 all analytic induction. Comes right from the
24 literature that's cited.

25 The functional limits of crime prevention,

Page 113

1 which is paragraphs 29 and 30, and then all the
2 supporting material, that's analytic induction.

3 The -- paragraphs 34 -- paragraph 34 about
4 gating and fencing a violent crime, that's analytic
5 induction.

6 Paragraph 40, surveillance cameras, 41,
7 lighting, that's all analytic induction as well. So
8 it's peppered throughout the report.

9 Q. And you refer in paragraph 20 to
10 triangulation, and you say that triangulation is a
11 technique that you could use to test or falsify a
12 factor theory in issue, right?

13 A. Right, because you're using multiple data
14 sources to establish the -- verify a conclusion
15 about a fact in issue. So, for example, you're not
16 just reading police reports, you're not just reading
17 depositions, you're not just reading emails and
18 correspondence, you're not just cherry-picking one
19 data source, you're looking at everything, and
20 you're determining the extent to which there's
21 alignment in the data on a particular issue.

22 When there's not alignment, then you may
23 have a factual dispute such as the one you were
24 raising earlier about Holt saying that Wynn is a
25 drug dealer and everybody saying that she's not. So

Page 114

1 that's a factual dispute. The jury will have to
2 resolve that.

3 Q. So on paragraph 21, you say, Based on my
4 review of all the discovery material in this matter,
5 as well as the site inspection, interview with the
6 property manager, and area canvass, and then you
7 offer your considered opinion about whether Seven
8 Courts had an adequate and reasonable crime
9 prevention posture.

10 You list as the adequate and reasonable
11 crime prevention posture all of the bullet points
12 that come straight out of your interview with Toya
13 Wynn, correct?

14 A. Well, no, it's the interview with Toya
15 Wynn, my site inspection, the available discovery
16 material. Everything that was part of the case is
17 part of that -- part of that paragraph.

18 But there are some things that were not --
19 like, for example, the HandyTrac system, you know, I
20 would have only known that by asking her. I think
21 she even showed me the system.

22 Q. Did you ask whether TPI had any formal
23 security policy for Seven Courts?

24 MR. MELCHER: Objection; form.

25 A. You asked in your interrogatory, so no, I

Page 115

1 did not replicate the question.

2 Q. And the answer is no, TPI does not have a
3 formal security policy for Seven Courts, correct?

4 A. Any what?

5 Q. Any formal security policy for Seven
6 Courts.

7 A. Right, there's no formal -- quote/unquote,
8 formal policy, but the data points are consistent
9 with -- the data points listed in my report that I'm
10 talking about today are entirely consistent with a
11 crime prevention posture, which is -- it may not be
12 a formal written security plan, but on some level,
13 it's a functional proxy for it.

14 Q. Do you think that a property like Seven
15 Courts should have a formal written security plan or
16 policy?

17 MR. MELCHER: Objection; form, term
18 "think."

19 A. It should have a plan of some kind,
20 whether it's -- whether it's written or not, I would
21 not require that, but it should have a posture in
22 place, which is consistent with a plan, which is
23 what they're doing.

24 Q. Should a property like Seven Courts or a
25 company like TPI operating a property like Seven

Page 116

1 Courts undertake a formal analysis of crime at Seven
2 Courts and in the surrounding area?

3 MR. MELCHER: Objection; time and
4 scope.

5 A. Well, I mean, I guess there's two answers
6 to that. As a criminologist who is interested in
7 crime data, I'm an advocate of doing that, I'm all
8 for that. Whether they're required to do that -- my
9 understanding is that there's no legal duty, I
10 guess, for any Georgia apartment complex to dig up
11 police reports for its property, inspect them on a
12 regular basis. That's my understanding.

13 Again, having said that, I'm a
14 criminologist. I'm all for analyzing crime data. I
15 think it's a good thing to do. But would I require
16 it? I don't think I would require it but I'm an
17 advocate of that.

18 Q. So I'm going to set aside your
19 understanding or views about what Georgia law
20 requires since we can all agree you're not an expert
21 on Georgia law, right?

22 A. Correct.

23 Q. So I want to ask you your opinion -- your
24 litigation support opinion.

25 Do you think that a company like TPI

Page 117

1 operating a property like Seven Courts should
2 undertake a formal analysis of crime at Seven Courts
3 and in the surrounding area over a time frame of two
4 or three years?

5 A. I'm not sure. I think I'll stick with my
6 previous answer. I mean, it depends on the
7 property, really. It depends on -- you said
8 surrounding area. It depends on the area. You used
9 the word "formal." I mean, I don't know. I mean,
10 I'm not sure how to answer that question.

11 Q. When you were interviewing Ms. Wynn, did
12 you ask her why TPI did not provide regular armed,
13 overnight security at Seven Courts in the summer
14 of 2021?

15 A. She -- I believe she told me they were
16 moving from a regular or nightly security presence
17 to a camera system that would have interfaced with a
18 periodic patrol. I think that's what she was
19 telling me.

20 But my question was, was there an armed
21 guard at the premises on the night in question, and
22 I believe she said they were in between -- they were
23 in this transition point where they were moving from
24 a guard present to a more technologically intensive
25 security presence with a guard interface. That's

Page 118

1 what I think she was telling me.

2 Q. Has there ever been -- actually, let me
3 orient you. Let me orient you actually. So I want
4 to actually ask you about paragraph 23. We're going
5 to come back to paragraph 22, but looking at
6 paragraph 23, which is primarily about the presence
7 of a security guard, have you ever in a litigation
8 support matter concluded that a security guard
9 should have been present at an apartment complex?

10 A. Oh, sure.

11 Q. And what would have led you to reach the
12 conclusion that a security guard should have been
13 present at an apartment complex?

14 A. A very clear violent -- pattern of
15 predatory violence that justified, for example, a
16 dedicated presence.

17 Q. And what kind of pattern of predatory
18 violence would justify an armed security guard?

19 A. I can't invent it out of whole cloth, but
20 typically a pattern. You know, you're looking for,
21 you know, instances of stranger-on-stranger violence
22 that would have justified some sort of dedicated,
23 fixed security presence.

24 Q. Well, give me an example, if you would, of
25 what a pattern, in your view, would look like that

Page 119

1 would justify an armed security guard.

2 A. Well, typically you're talking about --
3 well, you look at the -- assuming that the litigated
4 incident involves predatory violence, then you look
5 at the reference period and you're asking whether
6 and to what extent there are similar, recent, and
7 frequent incidents that would have justified a fixed
8 security presence. And so you're looking at those
9 variables.

10 You're also looking at, obviously, time of
11 occurrence, location of occurrence, you know, you're
12 trying to see if there's a clear pattern that would
13 have justified some sort of dedicated security
14 presence.

15 Q. And I am asking you to define those
16 variables in more detail than you're doing. So when
17 you say that you're looking to discern a pattern,
18 you're looking at incidents that are similar. Tell
19 me what you mean.

20 A. Well, again, assuming that the litigated
21 incident is predatory violence, you're looking at
22 incidents that involve strangers, you're looking at
23 incidents that involved serious violent crime which
24 would be murder, rape, aggravated assault, or
25 robbery.

Page 120

1 You're looking at incidents where there is
2 typically weapon involvement and/or serious victim
3 injury. You're looking for incidents in which
4 there's a clear time pattern of occurrence so that
5 it's not only a hot spot but it's a burning time for
6 the hot spot.

7 You're probably looking for location
8 information. You know, for example, I look at
9 common area occurrence versus interior of apartment
10 occurrence. And obviously common area occurrence is
11 something that security presence can theoretically
12 do something about. You're looking for whether the
13 crime was committed by somebody internal to the
14 property or external.

15 So, you know, I can't cite you chapter and
16 verse exactly the pattern that has to be in place to
17 justify armed security presence, but those are the
18 variables I would be looking at to help determine
19 that.

20 Q. Would you examine crime only at the
21 subject property or would you also look at crime in
22 nearby properties or areas?

23 A. I'm not against looking at the area
24 assuming the data are available from the police
25 department. So -- but if the data are not

Page 121

1 available, then you want to see the extent to which
2 violent crime is either spilling over or migrating
3 from the property to the area.

4 Q. What is your -- in your litigation support
5 role, what is your customary practice toward nearby
6 properties or areas? Is it your customary practice
7 to investigate for crime data for nearby properties
8 and areas?

9 A. If the data are available, I typically do
10 like to look around. I don't think Atlanta -- I'm
11 trying to remember. I don't think Atlanta -- I
12 can't remember.

13 But since I wasn't offering a
14 foreseeability opinion in this case, really what I'm
15 looking at is what's the pattern of predatory
16 violence at the property and does it justify
17 security measures that were not in place on the
18 night in question.

19 Q. I think you're telling me that the
20 pattern -- when you're trying to discern the pattern
21 of predatory violence, you customarily look at the
22 subject property and you'll customarily look at the
23 pattern of predatory violence in nearby properties
24 as well at least when the data are available.

25 Is that a fair understanding of your

Page 122

1 testimony?

2 A. It depends on the scope of my duties in
3 the case, I would say that. So in this particular
4 case, I was not asked to offer a foreseeability
5 opinion. So I was asked to offer whether the
6 security measures that were in place were adequate
7 and reasonable relative to the risk, so it really
8 does depend on the scope of my inquiry.

9 Q. Okay. Let's step out of this case for a
10 minute and any limitations that may have been
11 imposed on your analysis or that you may have
12 understood to be imposed on your analysis.

13 When you are trying to evaluate the
14 pattern of violence at a piece of property or the
15 risk of violence at a piece of property, would you
16 customarily look at crime data for adjacent
17 properties or nearby properties?

18 MR. MELCHER: Objection; form. The
19 retention was based on the allegations made in the
20 suit.

21 A. Right. It depends on the scope of my
22 inquiry. It really does depends. I think I have
23 answered that three times now.

24 Q. The scope of the inquiry, you mean the
25 scope of inquiry that the lawyers who retained you

Page 123

1 gave you?

2 MR. MELCHER: Objection; form, asked
3 and answered.

4 A. It's the nature of the case and what the
5 allegations in the case are. So that may come from
6 retaining counsel; it may come from you; it may come
7 from the discovery. It depends on the case.

8 Q. In your academic research, do you ever try
9 to evaluate the patterns of predatory violence at a
10 particular piece of property or neighborhood or
11 site?

12 A. Perhaps through my respondents that I'm
13 interviewing, but that would be the extent of it.

14 Q. Well, I don't know that I -- maybe I
15 didn't ask you that question the right way or I just
16 don't understand your answer.

17 I'm trying to ask whether in your academic
18 research you might ever focus on a particular site,
19 whether it be an apartment complex or a housing
20 project or a neighborhood and whether you ever try
21 to understand the patterns of predatory violence at
22 that site.

23 Is that something you ever do in your
24 academic work?

25 A. I do it through the research literature,

Page 124

1 but I don't -- those kind of studies -- I typically
2 do qualitative studies based on active offenders, so
3 that kind of research would be literature-based
4 research as opposed to me generating the data.

5 Q. In your review of the literature when your
6 professional colleagues in criminology are
7 evaluating the patterns of predatory violence at a
8 site, do they typically expand their inquiry to look
9 at patterns of predatory violence in nearby sites?

10 A. Only typically if they want to see if the
11 security measures at the specific site that were
12 analyzed caused crime to displace away from that
13 site to nearby areas. But that's typically the main
14 reason that they would do that kind of research.

15 Q. And then shifting back to litigation
16 support, what I think you're telling me is that you
17 would consider crime at properties near the subject
18 property if you understood that to be important to
19 the case?

20 A. If there were significant pattern of crime
21 or violent crime spilling over or migrating from the
22 area to the property or the scope of my inquiry was
23 much broader than it is in this case where I'm
24 simply asked, Dr. Jacobs, are the security
25 measures -- were the security measures in place on

Page 125

1 the night in question adequate and reasonable
2 relative to the risk.

3 So assuming that it's not those two narrow
4 criteria, then perhaps. But it really just depends
5 on the nature of the inquiry and the scope of my
6 inquiry.

7 Q. So this gets back to the dilemma that we
8 had previously. I don't understand conceptually how
9 you can evaluate whether security measures were
10 reasonable relative to a risk without knowing what
11 the risk is.

12 MR. MELCHER: Objection; form.

13 Q. Can you explain that for me?

14 A. I have already told you three, four, five,
15 maybe six times. I did assess the risk. I did it
16 through the police reports. I went back three
17 years, which is 1,095 days of crime data. I
18 analyzed all the depositions, all the exhibits, all
19 the material referenced in the file itself. That's
20 all assessment of risk, so I'm not sure what you're
21 saying.

22 Q. Did you evaluate the risk of crime at
23 properties near Seven Courts?

24 A. I did not collect that data, no.

25 Q. Why not?

Page 126

1 A. I'm not sure how it would have informed my
2 opinions in this case where this criminal
3 essentially snuck up on the plaintiffs right outside
4 their apartment, barged in, and robbed them. I'm
5 not sure how crime data at some other complex some
6 distance away would have affected that fact pattern.

7 Q. So in your report, you refer to your
8 analysis of what you believe are comparable
9 properties, right?

10 A. Well, I would say comparable to the extent
11 that there are other apartment complexes in the same
12 geographic area at around the same time.

13 Q. Right.

14 This is what you described as your area
15 canvass?

16 A. Yes.

17 Q. And for your area canvass, you drove
18 around and you looked at eight properties that are
19 within roughly a mile of Seven Courts, correct?

20 A. Roughly. Some may have been a little
21 further out but roughly.

22 Q. Yeah, if you look at paragraph 36 of your
23 report, you say there are eight multifamily
24 apartment complexes within approximately 1 mile of
25 Seven Courts. And then you cite the names of them

Page 127

1 in footnote 10.

2 Do you see that?

3 A. Yes.

4 Q. Why did you pick -- first of all, why did
5 you conduct an area canvass?

6 A. I just want to see what the customs and
7 practices are for other properties of a similar type
8 in terms of -- not looking at convenience stores,
9 I'm not looking at gas stations, I'm not looking at
10 fast-food restaurants. I'm looking at other
11 apartment complexes in the same area at around the
12 same time.

13 And I'm asking a very simple question: If
14 instead of living at Seven Courts, if the plaintiff
15 lived at one of these other eight complexes, what
16 would they have -- what would the security
17 measures -- what would the apparent security
18 measures have been available to them assuming they
19 did not live at Seven Courts but lived at one of
20 these eight other complexes within a mile of Seven
21 Courts.

22 So did they have gates? Did they have a
23 gatehouse? Did they have indicia of fixed security
24 presence? Did they have a fully enclosed perimeter?

25 So it's a very simple question that tries

Page 128

1 to assess the customs and practices of these various
2 measures -- various security measures that I suppose
3 your side is contending should have been in place.

4 Are these customs and practices, in fact,
5 in place and do they comprise the metric in the area
6 for security for other complexes in the same area at
7 around the same time.

8 Q. Do these customs and practices you're
9 trying to identify inform your analysis of what
10 security measures are reasonable?

11 A. I think so. Right. You know, if every
12 other complex in the radius had armed guards and
13 gatehouses and, you know, 8-foot fences with barbed
14 wire at the top, I mean, that would tell me that
15 Seven Courts is maybe not doing something it needs
16 to be doing. So, yes, it assesses my -- it informs
17 my assessment of the material.

18 Q. Did you perform any investigation of what
19 the crime patterns are at the eight comparator
20 properties?

21 A. No, it was a very simple inquiry. If the
22 person lived -- instead of Seven Courts they lived
23 at some of these other properties, given that, you
24 know, theoretically, you know, an armed robbery like
25 this, I suppose, can happen to any of these other

Page 129

1 tenants in any of these other properties, it's
2 theoretically possible, I suppose, what is the
3 security posture at these other places relative to
4 what is in place at Seven Courts.

5 Q. How can you evaluate whether the security
6 posture at these comparator properties is reasonable
7 if you don't know what the crime conditions are at
8 those properties?

9 A. I'm not doing an assessment of the other
10 properties in terms of the reasonableness of those
11 measures for those properties. I'm assessing
12 whether the measures that Seven Courts has in place
13 were reasonable relative to the customs and
14 practices in the area. It's a completely different
15 inquiry.

16 Q. Well, I'm not sure that's true, but what
17 if -- what if the customs and practices at all of
18 those other properties are deficient, would that
19 make -- would it be reasonable for all of the
20 companies that operate low-income housing in this
21 part of Atlanta to just decide to have weak security
22 practices?

23 If they all agreed or independently
24 reached the conclusion that they should do that,
25 would that make their security practices reasonable?

Page 130

1 A. Absolutely not. But, again, as I said
2 earlier, if I did my canvass and it showed that all
3 these complexes had gatehouses and armed guards and
4 8-foot fences with barbed wire and enclosed
5 perimeters, that obviously would look very badly for
6 Seven Courts, and that was part of my inquiry.

7 So it wasn't like -- the results fell
8 where they fell, and I'm reporting them. I can't
9 speak for these other properties. I'm just talking
10 about if I'm Seven Courts and I looked around -- if
11 I'm the plaintiff and I looked around for other
12 complexes in this radius, what would I find and
13 would Seven Courts' posture be wholly deficient in
14 light of what everybody else was doing. It's just a
15 very simple comparative inquiry.

16 Q. Now, I understand your report to offer the
17 opinion that as far as the variables you looked at
18 for these comparator properties, Seven Courts is
19 roughly the same in terms of, in your view, whether
20 there's a great, whether there's indicia of armed
21 guards and things like that. Is that fair?

22 Roughly speaking, you're saying Seven
23 Courts is about where the other eight properties in
24 the 1-mile radius are?

25 A. I would put it more that -- let's see, how

Page 131

1 did I word it in my report. I would just say like I
2 said in my report, like, more rigorous access
3 control measures than those used by Seven Courts
4 were not the custom and practice among other
5 complexes in the area. It's very simple.

6 Q. Would it matter to your opinion if at
7 these other eight apartment complexes there was a
8 pattern of predatory violence?

9 A. Only if the lawsuit was at one of those
10 other properties, then I would have to do that
11 analysis.

12 Q. Well, wouldn't that -- wouldn't knowing
13 whether the other properties that you have
14 identified as comparators -- let me start this over.

15 If you're judging -- well, let me back up.
16 Let me make sure I understand what I think you're
17 trying to do here. I think what you're telling me
18 is that you think that you have identified the
19 custom and practice for apartment complexes in this
20 part of Atlanta, but you're not trying to testify
21 that that custom or practice is reasonable or
22 adequate to deter predatory violence, are you?

23 A. Wrong. No, that's not what I'm doing.

24 Q. What are you doing?

25 A. Again, I don't know how many times I can

Page 132

1 explain this.

2 MR. MELCHER: Objection; form.

3 Q. I know -- I -- let's do the part where I
4 understand what you're saying. I understand you to
5 be saying that you think you have identified the
6 custom and practice in this part of Atlanta for
7 multifamily apartment complexes, okay, based on your
8 area canvass?

9 A. Well, the custom and practice for, for
10 example, gates, gatehouses, perimeter enclosures,
11 and indicia of a dedicated security presence.

12 Q. Is it your opinion that that custom and
13 practice is adequate and reasonable to deter the
14 risk of predatory violence?

15 MR. MELCHER: Objection; form.

16 A. No, that's not my opinion.

17 Q. Do you know whether that custom and
18 practice is adequate and reasonable to deter the
19 risk of predatory violence?

20 MR. MELCHER: Objection; form.

21 A. I'm not offering that opinion. That's
22 beyond the -- that would require me to do --

23 Q. What would it require you to do?

24 A. It would require me to -- well, that's a
25 different inquiry. If it's reasonable relative to

Page 133

1 the risk, then I have to get the violent crime data
2 for these other properties and do an assessment.
3 But that's -- again, that's beyond the scope of my
4 responsibilities in this case.

5 I asked a very simple question, and I have
6 said it three times now. If I lived at Martin Manor
7 or Abby Ridge or The Commons or Harvest Oak or The
8 View or the Peaks of MLK or Columbia Commons or
9 Dogwood, if I lived at any one of those other eight
10 places in the area, what would I expect to get with
11 regard to gates, gatehouses, fences, and guards.
12 That's very simple. That's all I did.

13 Q. So tell me why that's important in your
14 opinion to know what the custom and practice is in
15 the surrounding area.

16 A. Well, in my experience, one of the first
17 things that a reasonable juror might ask is what's
18 everybody else doing, what's everybody else doing
19 with perimeter enclosures, gatehouses, dedicated
20 armed security, barbed wire fences. That's one of
21 the first questions that a reasonable juror might
22 have. And so this is really, I suppose, to --
23 ultimately to assist them with that information.

24 Q. And wouldn't a logical next question be to
25 ask whether those customs and practices were

Page 134

1 adequate and reasonable, in your words, to deter
2 predatory violence?

3 MR. MELCHER: Objection; form.

4 A. No, because the other eight complexes are
5 not being sued.

6 Q. But if your opinion is that there's a
7 particular custom or practice, don't you want to
8 know whether it's an effective or good or safe
9 custom and practice?

10 MR. MELCHER: Objection; form.

11 A. Well, that's in part covered in my report
12 where I talk about the limitations of gating as a
13 violence prevention tool, where I talk about the
14 limits of security patrol as a violence prevention
15 tool, cameras, lighting, so it's all covered in my
16 report anyway.

17 Q. So does it matter to your opinion whether
18 the custom and practice is adequate to deter
19 predatory violence?

20 MR. MELCHER: Objection; form.

21 What custom and practice?

22 MR. BLOCK: The one we have been
23 talking about for 15 minutes.

24 Q. Please answer the question.

25 A. So which custom and practice? Gates?

Page 135

1 Fencing? Guard house? Security patrol? Which one?

2 Q. In your report, Dr. Jacobs, you refer to a
3 custom and practice, which I understand to include
4 the various security measures that you refer to in
5 paragraph 37, paragraph 38, and paragraph 39,
6 parking gates, manned gatehouses, and armed
7 security.

8 Does it matter to you whether that custom
9 and practice is adequate to deter predatory
10 violence?

11 MR. MELCHER: Same objection.

12 A. I'm not sure how -- again, I have answered
13 that question. Whether it's adequate to deter
14 predatory violence is covered in my report. The
15 issue for the canvass is -- like I said, I did not
16 know when I did this canvass what the results were
17 going to be.

18 So if I came back here today and I found
19 that seven out of the eight, for example, apartment
20 complexes had a manned gatehouse, I mean, that would
21 obviously benefit you, and I would be reporting that
22 to you, and none of these questions about the crime
23 pattern of these other properties would have been
24 asked. It would have been simply, oh, Seven Courts
25 is not doing something that seven of the other eight

Page 136

1 people are doing.

2 And so that's my only -- that's the only
3 reason for the inquiry is just to show, again, if I
4 lived or your clients lived at any one of these
5 other eight properties, what would they expect to
6 get with regard to these four security measures.
7 That's it.

8 Q. What would you think if you analyzed crime
9 data for these eight properties and found that they
10 had a pattern of predatory violence?

11 Assume with me that you did that analysis
12 and that was your finding, what would that mean for
13 your opinion?

14 A. I would be speculating. Depends on the
15 nature of the pattern.

16 Q. But what -- you get where I'm going with
17 this.

18 What if you found that many of these
19 properties that you think are comparators had
20 shootings, murders, armed robberies, would that have
21 been -- just assume that's to be true.

22 Would that have any effect on your
23 evaluation of whether the custom and practice that
24 you think Seven Courts was adhering to was
25 reasonable?

Page 137

1 A. It depends on whether the offenders in
2 these alleged hypothetical other crimes are internal
3 to the property or external. Depends whether they
4 were tenants or guests or outsiders. It depends on
5 who they were targeting, whether they were people
6 known to them or not. There's too many variables
7 for me out there that I don't know about for me to
8 give a reliable opinion without speculating
9 entirely.

10 Q. And the way to conduct the analysis you
11 just described would be to, for example, pull APD
12 reports for these properties, right?

13 A. If our doing a full-on foreseeability
14 assessment of all eight other properties, yes, but
15 I'm not doing that.

16 Q. Well, if you wanted to evaluate whether
17 the custom and practice you have identified were
18 reasonable and adequate, you might also want to
19 evaluate crime at those properties, correct?

20 A. I think I have already answered that
21 question four or five times. It's --

22 Q. And it's simple to tell me yes or no.

23 If you wanted to know if these customs and
24 practices were adequate and reasonable, wouldn't you
25 want to know what crime looks like at those

Page 138

1 properties?

2 MR. MELCHER: Objection; asked and
3 answered repeatedly.

4 Go ahead.

5 A. I have already answered the question,
6 like, five times. I mean...

7 Q. And you can simply tell me yes or no.

8 A. It's not amenable to a yes or no answer.
9 I have answered it.

10 Q. Well, I understand that the outcome of
11 your analysis is not amenable because you didn't do
12 the research, but just help me understand if I'm
13 thinking about the question correctly.

14 If I'm Dr. Jacobs and I want to know
15 whether security measures that are a custom and
16 practice in an area are adequate and reasonable, I
17 should go look at the crime data for all of the
18 properties that form the basis for my custom and
19 practice analysis; isn't that true?

20 MR. MELCHER: Aaron, you're just
21 arguing with him now. I mean, you have asked him --

22 MR. BLOCK: Don't --

23 MR. MELCHER: Wait a second.

24 -- what went into his analysis
25 repeatedly, and now you're projecting your opinions

Page 139

1 on to him. You have established that he didn't do it
2 because he didn't feel that it was appropriate.
3 There's nothing else that he can say on this.

4 MR. BLOCK: Then he can give me a
5 one-sentence answer --

6 MR. MELCHER: He just said --

7 MR. BLOCK: -- or one-word answer.

8 (Simultaneous speaking.)

9 MR. MELCHER: I'm going to instruct
10 him not to answer yes or no if he feels he can't
11 answer it --

12 MR. BLOCK: Is there a privilege
13 objection you're making?

14 MR. MELCHER: No. This has nothing to
15 do with privilege.

16 MR. BLOCK: Then you cannot give him
17 an instruction. Then you cannot give him an
18 instruction not to answer.

19 MR. MELCHER: I can certainly instruct
20 him not --

21 (Simultaneous speaking.)

22 MR. MELCHER: Just like you can
23 continue to badger him, I can continue to make
24 objections.

25 MR. BLOCK: I'm trying to

Page 140

1 understand --

2 MR. MELCHER: He indicated he cannot
3 answer -- the witness has indicated he cannot answer
4 the question yes or no. Why would you then ask him
5 to answer it yes or no? Whether it's privileged
6 objection or what, it's an inappropriate question.

7 Q. Dr. Jacobs, if you would like to know
8 whether a custom and practice is adequate and
9 reasonable to deter crime, don't you need to know
10 what crime is going on at the properties that have
11 the custom and practice?

12 A. I have already told you that question is
13 answered by the research literature. That's a
14 separate question --

15 Q. If you wanted to know whether a --

16 A. -- which is covered in my report.

17 Q. If you want to know whether a custom and
18 practice in Atlanta at Seven Courts and eight
19 neighboring properties is adequate and reasonable to
20 deter predatory violence, don't you need to know the
21 crime data on predatory violence at all of those
22 properties?

23 A. No, because I'm only answering the
24 question for Seven Courts, not these other eight
25 properties.

Page 141

1 Q. How can you know whether the custom and
2 practice is adequate and reasonable unless you see
3 how it's working in practice?

4 A. It's discussed in my research report or my
5 expert report, the limits of gating, cameras,
6 lighting, and security patrol. So that tells you
7 from the peer-reviewed criminological literature
8 whether to what extent these particular measures are
9 effective in inhibiting violence. So that answer --
10 that question is answered.

11 The question you're trying to ask is
12 related to an inquiry that is beyond the scope of
13 what I was asked to do. And once again, I have
14 answered the question four, five, six different
15 times already, so I'm just going to refer back to my
16 previous answer because, frankly, I'm getting a
17 little tired, and I don't want to misspeak, so I'll
18 just refer back to what I have already answered.

19 Q. Looking at paragraph 37 of your report
20 where you describe your area canvass, I want to
21 understand what you did to observe these other
22 properties.

23 Did you drive by them?

24 A. So I think the first thing I did was
25 before my visit, I went on Google Earth and

Page 142

1 identified all the relevant properties that were
2 listed in the electronic -- on the Internet. Then
3 once I got to the property -- or the area, I had
4 Mr. Melcher take me around to these various
5 properties. And, in addition, as happens sometimes,
6 there are properties that I stumble upon during my
7 canvass that are not listed electronically, so those
8 would have been covered as well.

9 In terms of the actual visit, yeah, we --
10 I instructed him to drive me onto these properties,
11 to drive me into the properties, to drive me around
12 the exterior of the properties. And I did that I
13 guess eight times over. And that was the nature --
14 again, just a basic assessment of these very basic
15 security measures that are an issue in this case.
16 That's all I was doing.

17 Q. Did you ever get out of the car at any of
18 these properties?

19 A. I don't remember if I did, but the nature
20 of this particular inquiry would not have required
21 that.

22 Q. Did you make any attempt to speak with
23 anyone associated with any of these properties?

24 A. You mean like a leasing agent?

25 Q. Sure. Anybody.

Page 143

1 A. I think at one of the properties there was
2 a policeman present, and I think I talked to him
3 briefly. And essentially what he told me was there
4 had been some incidents in the last week or so, and
5 so he was there investigating those. I think that's
6 what he said.

7 Q. What time of day did you conduct this
8 exercise?

9 A. Afternoon.

10 Q. Was it light out?

11 A. Yes.

12 Q. So in paragraph 37, you say that at the
13 time of your inspection, the four complexes that had
14 a parking gate had the gate in the open position.

15 Do you know whether the gate at those
16 properties is closed at night?

17 A. I do not know. It would have required me
18 to know that information in July of '21, so no, I do
19 not know.

20 Q. You don't know one way or the other?

21 A. Right.

22 Q. And in paragraph 39, you say, None of the
23 eight complexes had indicia of a continuous
24 uniformed and/or armed security patrol.

25 First of all, you have no information one

Page 144

1 way or the other whether these properties have armed
2 guards at night, do you?

3 A. Not based on the signage, no.

4 Q. Not based on anything, right?

5 A. Correct. But --

6 Q. And when you say that there are no indicia
7 of a continuous uniformed and/or armed security
8 patrol, what kind of indicia are you referring to?

9 A. So I'm looking from the offender's
10 perspective, which is the purpose of our exercises,
11 are there specific signage, placards saying this
12 property is patrolled by X, Y, or Z, this property
13 is secured by X, Y, or Z.

14 That's the visibility component of
15 deterrence where you're publicizing the deterrent
16 threat to would-be offenders to essentially scare
17 them away, so that's what I'm looking at.

18 Also I'm looking at the extent to which I
19 physically witness either a security patrol on duty
20 and roving the property at the time of the incident.
21 As I mentioned, there was a police officer at one of
22 the properties, and I asked him, you know, what --
23 the extent of his duties there, and I believe he
24 said it was in response to a recent spat of
25 incidents that they were investigating. I believe

Page 145

1 that's what he said.

2 Q. So your -- okay. I understand what you
3 did there.

4 MR. BLOCK: Do y'all want to take a
5 break and you can eat some lunch, Dr. Jacobs, or a
6 snack and we can set the laptop up?

7 (Off-the-record conversation.)

8 (Recess 12:29 p.m. to 1:05 p.m.)

9 Q. Dr. Jacobs, I would like to stick with
10 your report, Exhibit 4. I would like you to turn,
11 if you could, please, to page 6. I want to ask you
12 primarily -- we're going to do this in segments but
13 primarily paragraphs 23, 24, and 25.

14 And I actually want to work backwards
15 because what I think you're saying in 23, 24, and 25
16 is that the pattern of predatory violence -- let me
17 tell you what I'm doing here. I'm looking at
18 paragraph 25, and you say that pattern of predatory
19 violence would not necessarily warrant a continuous
20 roving armed security patrol at the time of the
21 incident, and then you describe that pattern in
22 paragraph 24, and then you compare that to the, you
23 know, actual incident -- or ultimate incident in
24 paragraph 23. So I'm just trying to get you
25 oriented for where I'm looking.

Page 146

1 So can you tell me about your analysis in
2 paragraph 24, how you determined what the pattern of
3 predatory violence was at Seven Courts prior to
4 July 2021?

5 A. It's based on the review of all the police
6 reports in the file for the three years prior to the
7 incident, which I have today on the desk here.

8 Q. In your report, paragraph 24 refers to an
9 approximate 11-month period in which you say that
10 there was only one nighttime predatory gun crime.

11 So taking that in parts, why in your
12 report do you refer to an 11-month period?

13 A. Because that was the natural -- when I
14 wrote this report, that was the apparent cutoff of
15 the last reported predatory gun crime. But after
16 reviewing -- let's see here, after reviewing Holt's
17 deposition again, he apparently pointed out that the
18 Strawn robbery on 8/2/20 was a false report. So I
19 would revise my finding in paragraph 24 to say that
20 there were no nighttime not just gun crimes,
21 predatory violent crimes in basically a year prior.
22 So the last -- I'm sorry there was one. There was
23 one, the 12/12/20. So that's correct.

24 But I would say it was one nighttime
25 predatory gun crime in basically a year prior.

Page 147

1 Because the --

2 Q. Which is the -- go ahead.

3 A. Because the 8/2/20 incident Holt said was
4 made up by the victim -- alleged victim.

5 Q. And what is the -- I think you mentioned
6 December 2020.

7 What is the December 2020 incident you're
8 referring to?

9 A. It's an armed robbery with a gun
10 December 12, 2020. That was the only -- the only
11 predatory violent crime in essentially the 12 months
12 prior. It's also the only -- the only violent
13 crime -- actually, the only -- yeah, the only
14 violent crime that occurred at the property after
15 Hickey took over security. And when I looked at the
16 record of Mr. Holt, I can't say that at all.

17 So that's part of the assessment of the
18 adequacy is that not only did you have a substantial
19 dropping off of violence at the property but it
20 coincided with the hiring -- or the getting rid of
21 Holt and hiring Hickey.

22 Like I said, Holt -- Holt was let go in
23 November 2020. Between November 2020 and July 2021,
24 you had one violent crime at the property. And I
25 thought that was a remarkable pattern and I think a

Page 148

1 prudent move on the part of Seven Courts to let Holt
2 go and hire Hickey with the 30 years' experience in
3 law enforcement.

4 Q. Of course, Seven Courts downgraded
5 Hickey's role as of March 2021, correct?

6 A. Well, that's not necessarily true.
7 Mr. Hickey downgraded his presence. He couldn't
8 staff Seven Courts to the extent that he wanted to.
9 Seven Courts wanted to keep him on. In fact, they
10 kept him on beyond the March '21 cutoff through an
11 additional month in April where they specifically
12 said, Please stay. In May and June, he had
13 transitioned to a periodic presence as opposed to a
14 fixed presence in addition to passing out the
15 notices.

16 So I don't agree with your
17 characterization that they downgraded their
18 security.

19 Q. Well, sure. I think that it might be a
20 little bit of a mutual thing or in the eye of the
21 beholder. And obviously all of this is -- you and
22 me -- subject to whatever the documents and the
23 testimony show.

24 But what I'm trying to question you on is
25 it is not the case that Mr. Hickey's services in

Page 149

1 May, June, and July of 2021 were the same as his
2 services prior to May 2021, correct?

3 A. Correct. And that was mostly because
4 Hickey essentially changed the terms and was not
5 able to meet what Seven Courts wanted him to do.

6 Q. Well, I think we'll let the testimony
7 speak for itself.

8 But directionally Mr. Hickey provided less
9 security service in May, June, and July 2021 than he
10 did prior to that, correct?

11 A. I think as a function of the duration of
12 time he was there, yes.

13 Q. So help me understand a little bit here.
14 You testified, although it's not in your report,
15 that you conducted an analysis of crime data over
16 three years at Seven Courts. You have testified
17 several times today that you did, in fact, conduct
18 such an analysis.

19 So the first question is: Why do you not
20 disclose that three-year analysis in your report?

21 A. Because I'm not giving a foreseeability
22 opinion.

23 Q. We'll come back to that. I have heard
24 your testimony this morning.

25 But why do you -- why would you recount in

Page 150

1 your report any historical crime data such as the
2 11-month crime data in paragraph 24 if you're not
3 giving a foreseeability analysis?

4 A. Because that's the hot spot analysis.

5 That's different than foreseeability.

6 Q. "Hot spot" is not a word you use in your
7 report, is it?

8 A. I would have to look but maybe not, but
9 that's what paragraph 24 and 25 capture.

10 Q. Okay. So what is a hot spot analysis such
11 as you performed here in your analysis in this case?

12 A. It's a place where there's a concentration
13 of violent crime in a geographically --

14 Q. And what --

15 A. I'm sorry.

16 Concentration of violent crime in a
17 geographic location over a specific time parameter.
18 So in this case -- again, I'll revise the report
19 because Holt claimed --

20 Q. No, you can't do that. Actually, you
21 can't revise your report.

22 A. Well, I'll revise the --

23 Q. It's federal.

24 A. -- conclusion in the preliminary report
25 which I labeled "preliminary" twice based on

Page 151

1 Mr. Holt's testimony that the 8/2/20 robbery was
2 made up, so essentially it just changes from 11 to
3 about 12 months in terms of one violent crime in the
4 year prior.

5 Q. Sure.

6 So I'm trying to understand what is the
7 utility of performing a hot spot analysis?

8 A. It's exactly what the police departments
9 around the country do and exactly what we do in
10 criminology to assess whether and to what extent you
11 should deploy law enforcement assets at a particular
12 place.

13 Q. And that's because based on the hot spot
14 analysis, you might or might not expect crime that
15 you would then want to deter with a police presence?

16 A. Particularly violent crime, predatory
17 violence, yes.

18 Q. How is that different from a
19 foreseeability analysis?

20 A. The hot spot analysis is really
21 determining how to deploy your security assets.
22 Foreseeability analysis is something separate. It's
23 whether a particular type of incident could have
24 been forecast.

25 Q. Okay. I understand what you're doing.

Page 152

1 So in your -- what was the -- what was the
2 frame of reference or duration of your hot spot
3 analysis?

4 A. I'm not sure what you mean. Like the --

5 Q. Over what time period did you consider
6 crime data to determine whether there was a hot spot
7 at Seven Courts?

8 A. Well, obviously I looked at the entire
9 three-year period just to get a basic sense of what
10 the property looked like. But then within the
11 three-year period, I'm looking at the recency and
12 frequency and similarity of violent crime to see
13 whether and to what extent the issues that appear to
14 be emerging in, for example, 2019 and into 2020 were
15 continuing into 2021 such that a dedicated armed
16 security presence was justified.

17 So I can't justify based on this data
18 pattern a dedicated armed security presence on the
19 night in question.

20 Q. So let me see if I understand this.

21 Is it your testimony that you did consider
22 crime at Seven Courts going back three years from
23 July 2021?

24 A. I have already said yes.

25 Q. In conducting -- I'm sorry. I didn't mean

Page 153

1 to -- you can finish your answer.

2 A. I've already said I looked at three years'
3 worth of crime data. Within the reference period,
4 you look for recency, frequency, and similarity, and
5 particularly as it relates to the time period
6 leading up to the incident to see if additional
7 security measures, such as a dedicated armed
8 security presence, were warranted on the night in
9 question as opposed to a periodic patrol presence
10 that they had in place.

11 Q. So I'm just -- I don't need to argue with
12 you about what Mr. Hickey was actually doing. I
13 just want to flag that I don't think we read the
14 testimony the same way, but that's not a question or
15 a statement to which you need to react.

16 I think what you're telling me is that you
17 looked back three years at crime data and -- but
18 then you zeroed in on the 12 or 11 months
19 immediately prior to July 2021 to see whether that
20 shorter period would have justified armed security.

21 Is that basically what you did?

22 A. Right, because that's -- the recency
23 component gives you a better sense of whether a
24 dedicated armed presence was necessary on the night
25 in question.

Page 154

1 Q. As you were conducting your analysis of
2 both one- and three-year periods, what kinds of
3 crimes or other instance would you have considered
4 as warranting or contributing to the need for armed
5 security overnight?

6 A. It depends what day you're talking about.

7 Q. What do you mean?

8 A. Well, for example, so they had a murder at
9 the property on 4/6/19, and I think shortly
10 thereafter, they hired armed security, Holt, which I
11 think was absolutely reasonable. You have got an
12 incident. It's a very serious incident. They
13 responded to it. They hired somebody. They
14 deployed them.

15 They had a couple of shootings in July
16 of 2020, and right after those shootings, they
17 ramped up the security presence even more, which is
18 totally correct. I think they went to double the
19 shifts on weekends and longer shifts during the
20 week. So that's textbook hot spot deployment.

21 And so when you have got a diminution of
22 violence, as you clearly had from July '20 to July
23 '21, then you can ramp down your measures, which is
24 exactly what they did. It's textbook.

25 Q. If I understand your testimony correctly,

Page 155

1 although this is not in your report, you seem to be
2 saying that Mr. Hickey, when he was performing
3 actual security guard services prior to May of 2021,
4 is responsible for at least some of the decrease in
5 crime. In other words, switching from Holt to
6 Hickey decreased crime.

7 Is that your opinion?

8 A. I all I can tell you is what the data say.
9 And the data say that while Holt was there, you had
10 armed robbery carjacking, strong arm robbery, armed
11 robbery, armed robbery, shooting, shooting, and then
12 strong arm robbery that was fake. And while Hickey
13 was there, you had one armed robbery.

14 Q. Right.

15 And I'm wondering if -- I think I know --
16 I think I know what you're trying to do. All right.
17 So I think I understand what you're saying right
18 here.

19 So is it your opinion that TPI conducted
20 any kind of analysis of crime conditions and made a
21 considered choice to decrease the level of armed
22 security as of July 2021 because there was less
23 crime to deter?

24 A. No, I don't think they did that, and I
25 don't think I said that. But if I would have been

Page 156

1 advising them and I see this crime pattern, I would
2 have said that what they did forensically was
3 absolutely reasonable. And the fact of the matter
4 is they --

5 Q. Do you recall Mr. Hickey's testimony that
6 crime in Atlanta tends to increase in the summer?

7 A. Well, depends on what kind of crime you're
8 talking about. I think he's talking about, like,
9 teenagers and loitering and all kinds of other stuff
10 that's not violence.

11 Q. Is that what he testified to, sir?

12 A. I would have to get out his deposition,
13 but if you're talking about all crime, then that may
14 be true, certain kinds of crime do increase. I'm
15 not sure about predatory violence. Domestic
16 violence certainly increases in the summer.

17 Q. Have you ever analyzed whether predatory
18 violent crime increases in the summer in Atlanta?

19 A. In Atlanta for the entire city, no.

20 Q. Did you analyze in this case whether Seven
21 Courts experienced more crime of any type predatory
22 violent or otherwise in summers as opposed to in the
23 cooler months?

24 A. Well, in '19, they had none in terms of
25 predatory violence. In '20, they obviously had --

Page 157

1 Q. Okay. There was a murder -- you sure --
2 it's not actually summer here in April but it's hot.

3 A. April 7th is not summer.

4 Q. Yeah. It's warm weather; it's not the
5 calendar.

6 MR. MELCHER: Let's just define the
7 time period then.

8 Q. Anyway, tell me what you did. I don't
9 want you to speculate sitting here. I want you to
10 tell me about the work you did before signing your
11 name to this report.

12 Did you study before signing your name to
13 this report whether there are any temporal patterns
14 in crime at Seven Courts season to season?

15 A. I just told you I'm looking at the --
16 looking at my notes.

17 Q. No. Tell me whether you did analysis
18 beforehand, not what you can come up with now
19 looking at your notes.

20 MR. MELCHER: Objection; form.

21 A. These are my notes so it's beforehand.

22 Q. You did this analysis beforehand or you
23 took the notes beforehand?

24 A. Well, both; if I took the notes, I did the
25 analysis.

Page 158

1 Q. What is your analysis that you did
2 beforehand?

3 A. I just list all the acts of predatory
4 violence between, looks like, 7/'18 and 7/'21. I
5 have them listed by date and type. And that comes
6 right from the police reports that I told you I put
7 markings on very early on in this case that you will
8 be provided after today's deposition.

9 Q. Speaking of materials to be provided after
10 today's deposition, are you willing to comply with
11 our subpoena and go into your sent items in your
12 email to look for reports from prior cases?

13 MR. MELCHER: Objection; form.

14 Go ahead.

15 A. Perhaps. I mean, I don't know if that's
16 confidential work product with the attorneys I'm
17 working with. I'm not going to disclose
18 confidential work product that might jeopardize the
19 outcome of a case, absolutely not.

20 Q. Well, to me that's sort of a case-by-case
21 analysis that you might have to do. My question is
22 different. It's are you going to go do the search
23 that the subpoena asked you to do?

24 A. So --

25 MR. MELCHER: Same objection.

Page 159

1 A. -- search prior emails for reports sent?

2 Q. We asked you for reports that you had
3 served in prior cases. And I think we limited it to
4 the last four years or so. And you told us in your
5 written response that you didn't have any. You told
6 us in your testimony today that you don't actually
7 know because you didn't go into your sent box which
8 would reflect if you sent a final report to an
9 attorney.

10 I understand you that there could be --
11 understanding you to be saying that there could be
12 circumstances in which a report, notwithstanding
13 final from your perspective, might not have been
14 served on the other side and might still be
15 protected as work product, but that's -- that's a
16 different question.

17 The first step is just actually doing the
18 search to see what you have, which you haven't done
19 yet. So my question for you is whether you're
20 willing to do that search.

21 A. I'll look in my sent email box and see if
22 there are any reports that jump out, but other than
23 that -- I mean, I don't have the original signed
24 copies of these reports. And to the extent that
25 they have changed since I issued them, I don't know.

Page 160

1 But I'll look in my sent email box if that's what
2 you want me to do.

3 Q. Yeah, it is. And I don't -- you keep
4 using the term "original." I don't need the paper
5 copy with the wetting signature; I need a copy of
6 that which you've testified you would have sent to
7 the lawyers who retained you via email. So that's
8 what we want.

9 A. I'll look and see what shows up.

10 Q. Thank you.

11 And then obviously if there are reasons to
12 think that particular reports are protected for one
13 reason or another, you know, it could be that they
14 weren't served so they're work product, it could
15 be -- I doubt it would be HIPAA, but it could be
16 HIPAA. You know, we can talk about all that, but
17 the first step is to understand what we're dealing
18 with.

19 Okay. So what -- if you were doing your
20 analysis, your -- what you call the hot spot
21 analysis, what kinds of -- what kinds of -- well,
22 let me make sure I understand.

23 What's the duration of the hot spot
24 analysis? Is it three years or is it approximately
25 one year?

Page 161

1 A. Well, it depends on the nature of the
2 inquiry. I mean, obviously I looked at three years'
3 worth of data. And then as I mentioned a few times
4 today, within the reference period, you look for
5 patterns and trends and the recency of predatory
6 violence within the reference period, so that's what
7 I did. And then you compare those trends to the
8 security posture in place to see if additional or
9 different measures were justified. So those would
10 be the three answers to your question.

11 Q. And what kinds of crimes did you
12 consider -- what kinds of crimes would bear on your
13 hot spot analysis?

14 A. Well, you're looking at whether the
15 incident -- or whether the property was a hot spot
16 for predatory violence.

17 So I look -- I considered all crimes,
18 analyzed all crimes, and then within that population
19 of crimes, I looked to see which ones were predatory
20 violence.

21 Q. And just so we have a good definition --
22 you did testify to it earlier but a good fresh
23 definition -- what do you mean by "predatory
24 violence"?

25 A. Typically predatory violence is stranger

Page 162

1 on stranger where there's no discernible
2 relationship of significance between the victim and
3 the offender.

4 Q. And then I think in your paragraph 6, you
5 appear to distinguish predatory violence from crimes
6 such as -- I'm quoting you here -- burglary,
7 larceny, and motor vehicle theft, which you
8 characterize as property crimes.

9 Is that the distinction that you draw?

10 A. Well, not only me but the Uniform Crime
11 Reporting system and 18,000 police departments
12 around the country.

13 Q. And you say that property crimes like
14 those do not empirically forecast violent crimes,
15 right?

16 A. Correct.

17 Q. Have you ever offered the opinion that
18 property crimes, like motor vehicle theft, do
19 forecast violent crimes?

20 A. In my opinion, no. I mean, some people
21 do.

22 Q. Have you ever used property crimes, like
23 motor vehicle theft, to evaluate whether a crime was
24 foreseeable or likely or a property with a hot spot?

25 A. It would depend on the nature of the

Page 163

1 inquiry. So if I was analyzing the foreseeability
2 of an auto theft, then I would probably look at auto
3 theft.

4 Q. Sure. That's fair. I did not ask a very
5 precise question.

6 Have you ever evaluated property crimes,
7 like auto thefts, to determine whether they might
8 forecast a violent crime?

9 A. Well, I would look at them to see if they
10 did, in fact, escalate to violence of any kind.
11 So -- but if they didn't, then you set them aside.

12 Q. In other words, in your view, an auto
13 theft that doesn't itself escalate to violence would
14 not predict a future violent crime at a property?

15 A. That's what the research indicates,
16 correct.

17 Q. Have you always had that opinion?

18 A. I would think so.

19 Q. How about burglary, have you ever had the
20 opinion that burglary, which did not itself lead to
21 a violent episode, could nonetheless predict the
22 occurrence of a violent episode?

23 A. No. Some people call it a threshold crime
24 that can escalate, but I'm not of that opinion and I
25 have the data to back that up.

Page 164

1 Q. In paragraph 27 you say that burglaries
2 are not accompanied by violent crime of any kind and
3 that 99.7 percent of all reported motor vehicle
4 thefts were not accompanied by violent crime of any
5 kind.

6 What I think you're saying there is that
7 at the moment of a burglary, almost all of them do
8 not convert into a violent episode. And at the
9 moment of an auto vehicle theft, 99.7 percent of
10 them do not convert or progress into a violent
11 episode, correct?

12 A. They don't escalate. They're not
13 accompanied by violence, correct.

14 Q. "Escalate," that's the word that you used.
15 It's a different question, though, whether
16 the occurrence of burglaries and auto thefts might
17 be associated with more violent crimes at different
18 times, right?

19 A. Right. The literature is very clear that
20 those are not necessarily predictive violent crimes
21 at other times. You have lots of properties with,
22 you know, burglary after burglary with no violence
23 ever recorded. Conversely, you have lots of
24 properties with relatively few property crimes and a
25 significant number of violent crimes. So that's why

Page 165

1 you do the crime-specific analysis.

2 Q. Do you consider -- when you're doing your
3 hot spot analysis, do you consider shootings or the
4 discharge of a firearm that does not hit somebody
5 and not result in an injury --

6 A. Yes.

7 Q. -- as predictive of -- I'm sorry, let me
8 finish the question.

9 -- as predictive of a predatory violence?

10 A. If -- I include shootings if they're
11 verified and if they involve -- if they don't
12 involve some sort of domestic or relational sort of
13 attachment.

14 Q. And can you explain for me -- what I'm
15 hearing from you is that like domestic violence or
16 crimes between people who have a significant
17 relationship, they don't seem to count in your
18 analysis of whether a property is a hot spot.

19 Is that a fair assessment of your opinion?

20 A. In terms of a hot spot of predatory
21 violence, they don't count per se. I mean, you're
22 talking about -- that's not just my opinion. The
23 Department of Justice makes a distinction between
24 domestic violence and predatory violence, forensic
25 criminologists around the country make the

Page 166

1 distinction, forensic criminology textbooks make the
2 distinction.

3 Domestic violence typically can't be
4 foreseen and often can't be prevented because they
5 involve incidents -- they involve incidents with
6 people who know one another often intimately that
7 have conflicts that are intrinsic to that
8 relationship that the landlord or defendant
9 typically knows little to nothing about, so there's
10 not really much you can do about it. That's the
11 short -- the long and short of it.

12 Q. Yeah, I understand that, but I'm wondering
13 about a slightly different question, which is
14 whether the existence of repeated instances of
15 domestic violence might nonetheless, you know,
16 characterize a location that is generally violent or
17 generally at risk of predatory violence.

18 A. No. There's -- the correlation -- I do
19 not know of a correlation between those two things
20 as I sit here.

21 Q. And if you were doing -- we kind of
22 touched on this earlier, but if you were doing your
23 hot spot analysis, did you consider the presence of
24 drug crimes at Seven Courts?

25 A. If they escalated to violence -- obviously

Page 167

1 I considered all crimes. And then again, I looked
2 at the extent to which these other crimes were
3 either linked to or accompanied by or escalated to
4 predatory violence.

5 Q. I want to ask you about some crime
6 reports, if you can tell me how they factor into
7 your hot spot analysis. Okay?

8 A. All right.

9 Q. So let's just start with -- I want to
10 start with APD reports so bear with me here.

11 Okay. So I have up on the screen,
12 Dr. Jacobs -- these are the APD reports that we
13 received from APD starting with 2019. This is
14 the -- APD broke the 2019 reports into two files,
15 not necessarily in chronological order, but this is
16 2019 Police Reports, dash, 1 which I know you have.

17 So I just want to walk through crimes, and
18 you tell me what these crimes mean to you in terms
19 of your hot spot analysis. We're not going to talk
20 about all of them.

21 The first one is for forgery of a check
22 under \$10,000. I think I know what you're going to
23 say. So we don't need to talk about that one.

24 And we don't need to talk about stolen
25 Amazon packages necessarily unless it were, like,

Page 168

1 you know, there were a lot of them. But that's the
2 only one that I have seen.

3 Can you see this on your screen?

4 A. Yes.

5 Q. Okay. So we have here -- this is a
6 10/12/2019 incident, so this is within the
7 three-year period. And it looks like this is an
8 auto theft. I'll flip to the substance of the
9 narrative. So this is an auto theft around
10 8:00 p.m. on 10/11/2019, and -- I mean, it is what
11 it is; it's an auto theft.

12 What, if anything, does this auto theft
13 say to you about the risk of predatory violence at
14 Seven Courts?

15 A. Nothing in particular.

16 Q. And I think this is actually -- this is a
17 different one, so 11/5/2019, it's another auto
18 theft.

19 Same answer, this says nothing in
20 particular to you about the risk of predatory
21 violence at Seven Courts?

22 A. Correct.

23 Q. Let's see. This is another auto theft.
24 Same answer?

25 A. Correct.

Page 169

1 Q. Now, this one, this is from May 16, 2019.
2 And this is -- I'll let you read it, of course, but
3 this is an assault, an unknown male/suspect
4 assaulted a Mr. Lorenza when he went to take out the
5 trash.

6 A. Can you scroll down to the next page?

7 Q. Yes.

8 A. So this is a simple assault involving --
9 so no deadly weapon, no serious injury, so it's a
10 Part II. It's not a Part I violent crime per the
11 FBI standard. And he knows these individuals in
12 some capacity, so although the relationship was --
13 appeared to be not deep, the relevant criteria is
14 that it's a simple assault, no deadly weapon, no
15 serious injury, so it's not a Part I violent crime.

16 Q. And so because it's not a Part I violent
17 crime, you just categorically take this assault out
18 of consideration in your hot spot analysis?

19 A. I wouldn't say I take it out. I
20 considered it but -- this was what date again?

21 Q. It was May 2019.

22 A. Right. So it's 4:30 in the afternoon
23 right after school. It's over two years old. So I
24 considered it, but it's -- kind of set it to the
25 side because not a Part I violent crime, it lacks

Page 170

1 recency, it's not at night, involves no weapon, no
2 serious injury, et cetera.

3 Q. So you give it very little weight?

4 A. Relative to the analysis that I did,
5 correct.

6 Q. So the next one is -- these are not in
7 order for some reason but that's how APD gave them
8 to us.

9 So this is 11/3/2019, and this is another
10 assault apparently from one tenant to another,
11 assuming -- (audio distortion) -- who assaulted the
12 victim.

13 What do you do with an incident like this
14 in your hot spot analysis?

15 A. Same as the other one; it's daytime
16 incident, simple assault, no deadly weapon, no
17 victim injury. It's not a Part I violent crime.

18 Q. So here is one from April 6, 2019. There
19 was a shooting -- this is the murder. So this one
20 you do take seriously.

21 A. Of course.

22 Q. And you know there was another murder in
23 April of 2022, right, at Seven Courts?

24 A. I don't look after the incident.

25 Q. Why not?

Page 171

1 A. Because post-incident crime is irrelevant
2 to my opinions in this case.

3 Q. Might it bear on the defendant's crime
4 prevention methods and whether they're adequate to
5 deter crime?

6 MR. MELCHER: Objection; form.

7 A. Once again, I don't look at post-incident
8 data.

9 Q. I'm asking you a logic question. Couldn't
10 post-incident data bear -- assuming the security
11 measures are the same or similar, couldn't it bear
12 on their adequacy?

13 A. I don't -- I have no information about any
14 of that after the incident, so I don't know.

15 Q. Not my question. My question is whether
16 conceptually a post-incident murder could bear on
17 the adequacy of the similar crime prevention methods
18 at Seven Courts.

19 A. Same answer. I don't know how to answer
20 your question. I didn't analyze anything after the
21 incident.

22 Q. So this one -- it doesn't start there --
23 it's -- maybe we can do this. Okay.

24 If it's -- I think you told me what you
25 feel about burglary and you have told me -- which

Page 172

1 this may or may not have been a near burglary, this
2 one that's up on the screen. It's a prowler call.
3 Who knows.

4 I think you told me about assaults that
5 are, in your view, minor. So in your hot spot
6 analysis, you're really just looking to see, I
7 guess, shots fired or a murder or, like, an injury
8 that sent someone to the hospital?

9 You're shaking your head. Tell me what
10 matters. Tell me what says to you this place needs
11 an armed security guard.

12 A. So Part I predatory violent crimes;
13 murder, rape, aggravated assault, robbery of all
14 kinds, stabbings, shootings, robberies, carjackings,
15 murders, sexual assaults.

16 As long as they're predatory and as long
17 as they meet the UCR-defined classification of a
18 Part I violent crime, then I would obviously
19 consider them for assessing the security posture of
20 a venue.

21 Q. Would it have been reasonable for Seven
22 Courts to have nighttime armed security in July
23 of 2021?

24 A. Well, they did. It was periodic, it
25 wasn't fixed, so they did have it.

Page 173

1 Q. Okay. We will have to agree to disagree
2 about what Mr. Hickey was actually doing.

3 Let me just spot you for the sake of
4 argument that he was there in July of 2021 for as
5 long as it took him to drive through and pass out
6 notices, okay, which is what he actually testified
7 to.

8 My question is different. Would it have
9 been reasonable to have real overnight armed
10 security at Seven Courts in July of 2021?

11 MR. MELCHER: Objection; form, asked
12 and answered. And if you're referring to specific
13 testimony, I would ask you to refer to that specific
14 testimony.

15 MR. BLOCK: Thank you.

16 Q. Please answer the question.

17 A. Property can do anything it wants. I'm
18 not here to say it could or couldn't. I'm just here
19 to say what the data showed and what the data
20 justified or not.

21 Q. Different question than what you're
22 answering.

23 Would it have been reasonable for TPI to
24 provide overnight armed security at Seven Courts in
25 July of 2021?

Page 174

1 MR. MELCHER: Objection; term
2 "reasonable."

3 A. It could be reasonable; it could be
4 unreasonable. I'm not sure how to answer the
5 question.

6 Q. Do you think it would have been a waste of
7 money for TPI to pay for armed security overnight at
8 Seven Courts in July of 2021?

11 A. I don't know.

12 Q. Do you think it would have been a bad idea
13 for Seven Courts to provide overnight armed security
14 in July of 2021?

15 A. I'm agnostic; it's neither a good or bad
16 idea. The issue is is it justified by the data.

17 Q. Do you think it would have been
18 unjustified by the data for TPI to pay for overnight
19 armed security at Seven Courts in July of 2021?

20 A. I think that's what my report said, that
21 the predatory violent crime pattern did not
22 warrant -- I use the word "warrant" -- a continuous
23 roving armed security patrol, so I will stick with
24 that.

Q. Do you think a continuous roving arm

Page 175

1 security patrol in July 2021 would have been
2 unjustified?

3 A. It was not justified by the predatory
4 violent crime pattern, correct.

5 Q. In forming your opinions about what
6 security measures were justified, did you consider
7 the two other attempts to at least steal from the
8 Diaz family?

9 MR. MELCHER: Objection; form.

10 A. I'm sorry, say again.

11 Q. In forming your opinions about what
12 security measures were reasonable, did you consider
13 the two prior attempted robbery attempts on the Diaz
14 family?

15 MR. MELCHER: Same objection.

16 A. Okay. There was a prior burglary attempt,
17 I believe. The second alleged attempt was a soccer
18 ball hitting the window, so -- and neither of those
19 were robberies. Those were -- one was a soccer ball
20 hitting the window; the other one was apparently a
21 burglary attempt, but the guy, I guess, figured out
22 somebody was there and ran away.

23 Q. So let's take that one.

24 Did you consider that burglary attempt in
25 forming your analysis about what security systems

Page 176

1 were reasonable at Seven Courts?

2 A. I considered all the crime, as I told you
3 before. So the question is did that particular
4 burglary or any others escalate to violence of any
5 kind. I looked at that.

6 Q. And you characterize another incident as a
7 soccer ball, so I take it you're choosing to believe
8 Toya Wynn's version of events as opposed to the Diaz
9 family's at least belief about what really broke
10 their -- or damaged their window.

11 Why are you choosing to believe Toya
12 Wynn's version of events?

13 MR. MELCHER: Objection; form.

14 A. Because Ms. Fontaine corroborated it. I
15 believe Harris corroborated it. I'm not sure if
16 Hickey did, I would have to re-read his deposition,
17 but this wasn't an isolated statement.

18 And the -- I believe the internal report,
19 it was -- I think it was a broken window. Not a
20 single thing was moved or stolen or removed or
21 anything from the apartment, so it was consistent
22 with the deposition testimony it was a soccer ball
23 hitting the window.

24 Q. Looking at your report, I want to look at
25 page -- excuse me, paragraph 34 with you. You say

Page 177

1 that there is no reliable scientific evidence that
2 gating and fencing prevents violent crime of the
3 general type involved here.

4 By "violent crime of the general type," do
5 you mean armed robberies or other types of violent
6 crime?

7 A. Part I predatory violent crime.

8 Q. And is it really your testimony that there
9 is no reliable scientific evidence that gating and
10 fencing can prevent Part I violent crime?

11 A. At apartment complexes, I have looked at
12 the -- I have canvassed the literature. In fact,
13 some of the literature shows that the literature is
14 equivocal. Let's put it that way. There's some
15 literature that may suggest there's a preventative
16 effect. There's other literature that says there's
17 not.

18 But when you focus on -- like, for
19 example, I have co-written an article on the rates
20 of robbery at gated versus ungated complexes. And
21 the data are a bit limited in terms of what they can
22 do, but those data do not -- do not prove, I guess,
23 within the realm of scientific probability that
24 there is, in fact, a statistically significant
25 reduction in robbery at gated complexes as opposed

Page 178

1 to ungated complexes. So that's all I can say.

2 Q. So are complexes or other buildings who
3 spend the money on gates and fences just throwing
4 their money away?

5 A. I wouldn't say that. For some offenders
6 in some circumstances, it may deter them. But like
7 I said, I'm looking at the broader -- the broader
8 question, you know, is there statistically
9 significant evidence that shows a reduction at
10 apartment complexes in robbery between gated and
11 ungated complexes.

12 Q. So you say that in paragraph 40 --
13 basically your testimony is surveillance cameras
14 are, quote, an excellent forensic tool. They have
15 minimal demonstrated scientific -- I assume
16 "evidence" or "value" is missing there -- for
17 violence prevention, particularly in the United
18 States.

19 That's what you said in your report. I
20 read your testimony to be security cameras do not
21 prevent violent crime, at least in the United
22 States.

23 Is that the point you're trying to make?

24 A. Well. It's -- that's what the literature
25 shows. I mean, again, I'm all for cameras, I like

Page 179

1 cameras, the more the better, but in terms of a
2 violence prevention tool, the scientific literature
3 does not suggest there's a strong correlation
4 between camera presence and violence reduction.

5 Q. And cameras are not a substitute for an
6 armed security guard, are they?

7 A. Well, it would depend on the deployment of
8 the camera, how they're used, whether they're
9 monitored real-time, whether they're coupled with
10 some other security presence.

11 But, yeah, I mean, if you're just talking
12 about camera versus guard, they're very different.

13 Q. Yeah.

14 And then for paragraph 41, you discuss
15 lighting and you say that that measure, meaning
16 lighting, has been shown too scientifically -- I
17 think this is a typo and you meant to say
18 inconclusive as a violence prevention measure.

19 A. Yeah.

20 Q. That's just a typo. It has to be for that
21 sentence to make sense.

22 Your point there is that lighting doesn't
23 prevent Part I violent crime?

24 A. Well, I think it would be broader than
25 that. The lighting studies don't differentiate --

Page 180

1 yeah, I think that's correct actually.

2 So the lighting studies basically don't
3 show a scientifically conclusive relationship
4 between lighting levels and violence. Some show a
5 reduction in crime; some don't.

6 The ones that show a reduction tend to
7 show it for property crime or certain forms of
8 property crime. The ones that show reduction almost
9 never show a reduction for violence.

10 And when they do show a reduction for
11 violence or just crime in general, they can't --
12 they're not able to disentangle whether it was the
13 lighting that caused the reduction in crime or
14 whether it was some other measure that was in place
15 at the same time, like a camera or a guard or police
16 or whatever it might be. So that's why the effect
17 is -- it's a null effect, n-u-l-l, inconclusive.

18 Q. So I just -- I want to try and understand
19 putting all this together. Assume that we have two
20 properties that are next to each other and identical
21 in every respect. And let's say they're in a
22 dangerous part of town like Seven Courts is. And
23 one of them has really good lighting and a working
24 gate and a fence, and the other one has no fence, no
25 gate, and it's pitch black at night.

Page 181

1 Do you think that those two properties are
2 going to have the same amount of violent crime?

3 MR. MELCHER: Objection to the term
4 "think" and form.

5 A. I have to see the data, and I also have to
6 see whether the crimes are being committed by people
7 internal to the property or external and whether
8 the --

9 Q. Yeah. Just use your common sense here and
10 give me the common sense answer. Two properties
11 that are completely the same, one of which is
12 brightly lit and gated and fenced and the other is
13 pitch black, and has no gated fence, do you really
14 think they will have the same amount of violent
15 crime?

16 MR. MELCHER: Objection; form.

17 A. If it's common sense, you don't need an
18 expert to answer it. But like I said, I need the
19 data. All else being equal, I'm all for lights, I'm
20 all for cameras. I'm just telling you what the data
21 shows.

22 Q. Looking at paragraph 42, you describe this
23 incident as targeted -- or apparently targeted. I
24 think you go as far as saying it for sure is.

25 Tell me how you differentiate between a

Page 182

1 targeted versus an opportunistic crime.

2 A. Well, that's why I don't -- I don't know.

3 That's why I use the word, I think, "appearance."

4 Q. Yes.

5 A. I'm just saying, like, you have 170 units
6 at this property. There's never -- to my
7 recollection, there's never been an armed home
8 invasion of any unit at this property prior to this
9 one.

10 Somehow, someway, this masked guy shows up
11 outside of B23, and as this family is coming back
12 from the mailbox and playground and just times it
13 perfectly right when they get back and right when
14 they open the door and rushes them in and demands
15 the money.

16 I mean, in my experience as a
17 criminologist, for that to be a coincidence is a
18 strange, almost all credulity, but like I said, I'm
19 not offering an opinion that this was a targeted
20 crime, but you know, it certainly -- I guess that's
21 all I would say.

22 Q. Could you look at paragraph 21. We're
23 going to start to go back up. Actually, no, it
24 should be paragraph -- well, it's paragraph 21 and
25 22.

Page 183

1 So paragraph 21 contains your bullet point
2 list of all of the security measures you believe
3 that Seven Courts had, and then in paragraph 22, you
4 say that the above measures are consistent with
5 established practices in crime prevention through
6 environmental crime and situational crime
7 prevention, which you describe as peer-reviewed,
8 scientific approaches to crime prevention, right.

9 So tell me what you mean -- let's take
10 those one at a time. Let's first start with CPTED,
11 Crime Prevention Through Environmental Design.

12 Is it your testimony that Seven Courts has
13 security measures that were consistent with the
14 standards for Crime Prevention Through Environmental
15 Design?

16 A. Yeah, they had all the things listed in
17 those -- in the previous paragraph get to things
18 such as defensible space, order maintenance,
19 activity support, territorial reinforcement, natural
20 surveillance. These are all concepts that are
21 embedded within CPTED, so yes.

22 Q. Are there -- did you formally compare the
23 security measures at Seven Courts to any kind of
24 standard for Crime Prevention Through Environmental
25 Design?

Page 184

1 A. I think I just described that. These
2 measures are consistent with defensible space,
3 activity support, natural surveillance, territorial
4 reinforcement, order maintenance, you know, the
5 variance dimensions that go into CPTED. These are
6 all consistent with those.

7 Q. And so that's your analysis basically is
8 you just have a -- you sort of have a sense of what
9 you think the Crime Prevention Through Environmental
10 Design security measures are and you compared them,
11 I guess, in your mind to the security measures you
12 think were in place at Seven Courts?

13 MR. MELCHER: Objection; form.

14 A. I'm not sure where you're getting that
15 conclusion from. The CPTED materials embedded in
16 the 100-plus PDFs that I uploaded to the ShareFile
17 link a few weeks ago, the dimensions I just listed a
18 few minutes ago, those are standard -- standard
19 concepts within CPTED. I teach them to my students.
20 I have taught them for 25 years. And they were in
21 place. I mean, they're consistent with CPTED. I
22 mean, I don't know what else to say.

23 Q. Do you think that TPI should have done
24 anything differently in relation to security during
25 July of 2021?

Page 185

1 A. The one thing I probably would have had
2 them do is instead of Hickey doing three random
3 patrols a week, I would have -- I would have
4 negotiated some sort of periodic in and out presence
5 that was episodic, intermittent, and random. They
6 could probably have done that without increasing the
7 budget, and it would not have required much more in
8 the way of time on the part of Hickey's part. It
9 would just have been a slightly different
10 deployment. That's probably what I would have
11 recommended, just a slightly different deployment.

12 Q. That's it? Otherwise, you think
13 everything they did to deter the risk of violent
14 crime in July of 2021 was reasonable?

15 A. Given that they were in the midst of
16 upgrading their surveillance system and given the
17 absence of any predatory violence -- or the virtual
18 absence of any predatory violence in the year prior,
19 I think that would have been reasonable given the
20 data points we have already talked about today.

21 Q. Would you have felt comfortable living at
22 Seven Courts in July 2021?

23 MR. MELCHER: Objection; form.

24 A. I really don't know. I don't like
25 apartment complexes period, so that would be my

Page 186

1 answer.

2 Q. Let me ask you about something,
3 Dr. Jacobs. Give me a minute to put something on
4 the screen.

5 Dr. Jacobs, I am going to mark as
6 Exhibit 5 something that you should see on your
7 screen that's identified Affidavit of Bruce A.
8 Jacobs, Ph.D., in the case of Kathryn Perez against
9 DNT Global Star, LLC, from Harris County District
10 Court.

11 Do you see that on your screen?

12 (Exhibit 5 marked.)

13 A. Yes.

14 Q. Do you remember testifying or
15 participating as an expert in the Perez case?

16 A. Vaguely.

17 Q. But you are the Bruce A. Jacobs, Ph.D.,
18 who -- and I'll show you all the pages -- but whose
19 affidavit this is?

20 A. Correct.

21 Q. And just so you can look at the last page,
22 do you recognize that signature on the last page as
23 your signature?

24 A. Yes.

25 Q. Okay. I want to ask you about some of the

Page 187

1 things that you said in the Perez case.

2 Do you need to refresh yourself on what
3 the facts were in the Perez case before I ask you
4 questions about the affidavit?

5 A. I don't think so.

6 Q. Okay. But just so we're on the same page,
7 it was a premises liability or negligent security
8 case involving an apartment complex and there
9 someone -- the predatory violence they experienced
10 was murder, right?

11 A. Right.

12 Q. And you testified for the plaintiff in
13 that case, not the defense like you're doing here,
14 right?

15 A. Correct.

16 Q. Okay. So I want to look at some things
17 that you did. If you look at page 3 of your
18 affidavit, I'm looking toward the bottom here --
19 actually, starting at "in terms of violent crime" --
20 sorry, just so you know, I'll go back to the
21 beginning.

22 The murder in this case took place at 500
23 West Crosstimbers. Okay. I just want to make sure
24 that we're on the same page about where the murder
25 site was, what the apartment complex address was.

Page 188

1 It was 500 West Crosstimbers.

2 So, actually, if we look at page 2, the
3 materials that you looked at in that case were
4 Houston police reports obtained for the one-mile
5 radius, including and surrounding 500 West
6 Crosstimbers for the 23 months prior to the murder
7 of the victim limited only to apartment complexes in
8 that vicinity, right?

9 A. I'll take your word for it.

10 Q. It's what you wrote in your affidavit, so
11 it's actually your word for it, sir.

12 A. Right. I can't read it, but like I said,
13 I'll take your word for it.

14 Q. I can make it a little bigger if that
15 helps.

16 In the Perez case, unlike in the Diaz
17 case, you reviewed police reports not just for the
18 site where the murder or violent crime took place
19 but also all the other apartment complexes within a
20 mile.

21 A. Right because I was doing a foreseeability
22 opinion in that case which I'm not doing here.

23 Q. Yes, I understand what you're saying about
24 that. I actually sort of dispute that you're -- I
25 think you are trying to give a foreseeability

Page 189

1 opinion and just call it something else, but I hear
2 you on that. I just don't want you to think that's
3 going undetected.

4 MR. MELCHER: Objection; form. That's
5 not a question; it's a statement.

6 MR. BLOCK: It's not. It's just a
7 statement about your strategy.

8 MR. MELCHER: Let's limit it to
9 questions here.

10 MR. BLOCK: Limit your objections to,
11 you know, real objections that just say form or
12 whatever.

13 (Simultaneous speaking.)

14 MR. BLOCK: Or you can let me take the
15 deposition.

16 MR. MELCHER: I am perfectly content
17 with my objections. They are following the Federal
18 Rules, and they are not lengthy, and they are just
19 stating the grounds with no elaboration.

20 MR. BLOCK: That is not an accurate
21 statement but the record --

22 MR. MELCHER: That's because you're
23 not listening, Aaron.

24 MR. BLOCK: Okay. We don't need to
25 argue with each other, Jeff.

Page 190

1 MR. MELCHER: That is correct.

2 Q. Anyway, I heard what you said, Dr. Jacobs,
3 but the fact is your approach when you wanted to
4 understand crime where the victim was attacked in
5 the Perez case was to look at crime at the site
6 where he was attacked and also at all the other
7 apartment complexes within a mile, which is the
8 opposite of what you did in this case, correct?

9 MR. MELCHER: Objection; form.

10 A. Incorrect. As I said a few minutes ago,
11 in that case, I was asked to give a foreseeability
12 opinion; in this case, I was not.

13 Q. You have been asked in this case to give
14 an opinion about risk of violence at Seven Courts,
15 correct?

16 A. As it relates to a hot spot designation
17 and the justification for dedicated, fixed, armed
18 security presence at the complex on the night in
19 question.

20 Q. And so in your mind, there's a difference
21 between an analysis of risk of crime and whether
22 crime is foreseeable?

23 A. Is that a question?

24 Q. Yes.

25 A. Are you talking about the general risk of

Page 191

1 any crime or are you talking about the risk of
2 predatory violence? What are you talking about?

3 Q. I'll rephrase.

4 Is there a difference in your mind between
5 evaluating a risk of predatory violent crime and
6 evaluating whether predatory violent crime is
7 foreseeable?

8 A. As it relates to security deployment,
9 there could be, and that's the scope of my inquiry
10 in this case, was a dedicated armed security
11 presence justified at this property on the night in
12 question.

13 Q. And justified by the risk of foreseeable
14 crime, violent crime, right?

15 A. I wouldn't call it foreseeability. I
16 would talk about the predatory violent crime pattern
17 in the months preceding the incident, just --

18 Q. And whether that --

19 A. It's the same thing that every police
20 department does before they decide where to send
21 their officers.

22 Q. I know. And what you're talking about is
23 whether the pattern of predatory violent crime in
24 the preceding time period makes it conceivable or
25 foreseeable that there will be predatory violent

Page 192

1 crime during the period in which you're trying to
2 decide whether to allocate resources.

3 MR. MELCHER: Objection; form.

4 A. I guess that's your opinion. I wouldn't
5 put it that way.

6 Q. Okay. So do you intend to tell the jury
7 that there was a pattern of predatory violent crime
8 prior to July 2021 that conveyed information to
9 Seven Courts about whether predatory violent crime
10 might occur in July 2021 such that that prediction
11 would influence the kinds of security measures that
12 would be reasonable in July 2021?

13 MR. MELCHER: Objection; form.

14 A. I'm sorry, that question was so long, I
15 lost it.

Q. Let me try it again.

17 Do you plan to tell the jury that the
18 pattern of predatory violent crime prior to
19 July 2021 conveyed information to TPI about the risk
20 or chance of predatory violent crime in July 2021
21 such that TPI could use that information to evaluate
22 what kinds of security measures to deploy in
23 July 2021?

24 MR. MELCHER: Objection; form.

25 A. Again, you said the same thing. I'm not

Page 193

1 sure what you're asking. I mean, I have already
2 answered the question.

3 You have one act of predatory violence in
4 12 months prior. That doesn't justify an armed
5 dedicated security presence. They had a periodic
6 security presence that was armed. That's fine.
7 That's it.

8 Q. Yeah. All right. We got on a detour.

9 So what you did here when you wanted to
10 evaluate the violent crime at the subject property
11 in the Perez case in Texas, you looked at -- let's
12 start with the incidents at that property. You
13 have aggravated -- actually, let me get you the date
14 on this one too.

15 The date of the murder was December 9,
16 2005. And you looked back nearly two years to
17 January of 2004 for an aggravated sexual assault and
18 aggravated robbery, a year and a half earlier for a
19 strong arm robbery, a year and a half-ish earlier
20 for another strong arm robbery, an aggravated
21 robbery and aggravated assault. At the bottom,
22 you've got another aggravated robbery -- wait a
23 minute. Actually, are these -- hold on. That's
24 actually going back. It's that aggravated assault,
25 that last one, that's what you looked at.

Page 194

1 So you looked, I guess, from nearly two
2 years up to about six months or five months prior
3 and you had some strong arm robberies and some
4 aggravated assault including a sexual assault one,
5 right?

6 A. Right. So a shorter reference period and
7 I was a plaintiff expert in that case.

8 Q. And then at the bottom of the paragraph --
9 or, excuse me, the bottom of the page, that last
10 paragraph, you write, In terms of proximate
11 violence, the following robberies, aggravated
12 robberies, aggravated assault, and gun crimes
13 reportedly occur at apartment complexes within one
14 mile of the subject property within 23 months of the
15 subject incident.

16 Do you see that? It's the very last
17 paragraph.

18 A. Correct. And the previous paragraph is
19 talking about five occurred at the property itself.

20 Q. Yes. Over about two years.

21 A. Less than two years.

22 Q. Just less than two years.

23 A. And you're ignoring -- you're leaving out
24 all kinds of rich data in terms of the location,
25 time of occurrence, day of week.

Page 195

1 Q. I'm trying to -- yeah. We can do all of
2 that. The point I'm making is that you -- well, you
3 get the point I'm making.

4 A. You're cherry-picking.

5 Q. So you then expand your lens and you look
6 at properties within a mile -- every apartment
7 complex within a mile and you found an aggravated
8 robbery; another aggravated robbery; another
9 aggravated robbery; another aggravated robbery;
10 another aggravated robbery; a strong arm robbery; a
11 gun drug offense which was just two men selling
12 drugs, one of them threw a gun away; aggravated
13 robbery.

14 And it goes on for a couple of pages
15 because you actually in the Perez case when you were
16 a plaintiffs' expert, went out and looked to see if
17 the neighborhood around the subject apartment
18 complex was dangerous.

19 MR. MELCHER: Objection; form.

20 (Simultaneous speaking.)

21 A. Perhaps you're not aware, Mr. Block, that
22 in the state of Texas, we have a watershed premises
23 case called the Timberwalk case that requires the
24 proximity dimension of foreseeability to be
25 assessed, which is precisely what I was doing in

Page 196

1 | that case.

2 And the second answer is that in that
3 particular case, as I have told you twice already, I
4 was asked to give a foreseeability opinion in that
5 case. I was not asked to do that here.

6 Q. No, you were told to call it something
7 else in this case.

8 MR. MELCHER: Objection; form.

9 Q. So --

10 A. I'm not sure what that means, but if
11 you're implying that there's some sort of conspiracy
12 between me and Mr. Melcher, I think that you need to
13 reconsider that thoroughly.

14 MR. MELCHER: Thank you.

15 Q. I don't think it's a conspiracy in some --
16 I don't know what. I wouldn't call it a conspiracy;
17 I would just call --

18 (Simultaneous speaking.)

19 MR. MELCHER: Aaron, you're getting
20 way out of line here. You're getting way out of
21 line.

22 MR. BLOCK: Thank you, Jeff.

23 MR. MELCHER: This is a
24 question-and-answer session, not a throw insults at
25 us exercise.

Page 197

1 MR. BLOCK: It's not an insult.

2 MR. MELCHER: We both just took it
3 that way.

4 MR. BLOCK: Well, you know, I
5 genuinely believe you changed the label from
6 foreseeability to something else. And maybe --

7 (Simultaneous speaking.)

8 MR. MELCHER: I changed the label?
9 Okay. Well, since we're on the record, please supply
10 me with your evidence to suggest that or otherwise
11 I'm going to take you before the Court. That is
12 implying that I have suborn perjury.

13 Would you like to rephrase now?

14 MR. BLOCK: No, I don't think it's
15 perjury.

16 MR. MELCHER: Okay.

17 MR. BLOCK: I don't think it's
18 perjury.

19 MR. MELCHER: All right. We're about
20 two seconds from going off the record and calling the
21 Court.

22 Would you like to rephrase your
23 question?

24 MR. BLOCK: Yes.

25 MR. MELCHER: All right. Thank you.

Page 198

1 MR. BLOCK: Yeah. I'll rephrase my
2 question. And I'll tell you exactly what I'm getting
3 at off the record if you would like to know.

4 MR. MELCHER: No. On the record,
5 please --

6 MR. BLOCK: Yeah.

7 MR. MELCHER: We are on the record
8 here. If you would like to tell us the thrust of
9 your suggestion here on the record, that will be
10 fine.

11 MR. BLOCK: Sure.

12 MR. MELCHER: Because I can tell you
13 we asked him to evaluate your allegations. We did
14 not give him marching orders. Perhaps you need to
15 revisit your vague allegations that are completely
16 unfounded in this case.

17 MR. BLOCK: In the spirit of being
18 transparent --

19 MR. MELCHER: That would be nice.

20 MR. BLOCK: -- I hear Dr. Jacobs
21 saying emphatically that he is not giving a
22 foreseeability opinion. Okay. So that's the first
23 premise. I don't think anyone can deny that he said
24 that many times today.

25 But what I see in Dr. Jacobs' report

Page 199

1 and what I hear in his answers today is that he is
2 using retrospective data on crime at Seven Courts to
3 make a prediction about future crime against which to
4 measure the reasonableness of security measures.

5 THE COURT: Wrong.

6 MR. BLOCK: And that to me -- hold on.
7 Let me just finish my thought, please.

8 That, to me, sounds a lot like
9 foreseeability, just not calling it foreseeability.
10 I see that -- hold on, I'm almost done. I'm going to
11 get to your part of the story now. Okay.

12 I hear Dr. Jacobs denying that. I see
13 him shaking his head. I hear you denying it. And we
14 can just agree to disagree.

15 I'm just telling you I'm not accusing
16 you of anything other than, you know, lawyers like to
17 repackage evidence to -- not in a bad way, but that's
18 just what lawyers do. And so I just -- that's what
19 I'm detecting. If I'm wrong, I'm wrong. But I'm
20 just being transparent that that's what I'm
21 detecting. But that's not a question. There is just
22 now a long, you know, soliloquy from me.

23 A. Here is the problem with your soliloquy.

24 Q. I'll ask the question --

25 MR. MELCHER: Hang on, let the

Page 200

1 witness --

2 MR. BLOCK: No, let me hear the
3 problem. I was actually done.

4 A. The problem with your soliloquy is that it
5 ignores the fact that what could I offer -- how
6 could I offer an opinion on the adequacy of the
7 security posture at the premises without analyzing
8 the prior crime data. If I did that, you would put
9 some kind of motion to exclude me.

10 Q. Yeah.

11 A. So how can I -- that's exactly what I'm
12 doing. I'm assessing the adequacy of the security
13 relative to the crime pattern. If I didn't do that,
14 my opinion would not be empirically justified.

15 Q. I understand what you're saying. Yes. It
16 would be -- yes, if you just showed up and said I
17 have no idea what this place is even like and I had
18 an opinion about what security measures they have,
19 yeah, that wouldn't make any sense. I know that.

20 So I'm not -- anyway, I think we
21 understand each other on this point.

22 A. Speak for yourself.

23 Q. So I actually think that was the useful
24 exchange even though not good forum led by me, not
25 you.

Page 201

1 So -- all right. If we go back to
2 Exhibit 5, the Perez affidavit, I want to -- and I
3 heard you before we went off on that detour that
4 your opinion in the Perez case was in Texas and so
5 it was informed by Texas law. Okay.

6 But I think you were also telling me that
7 you were giving in the Perez case just like in this
8 case a scientific opinion, not a legal opinion,
9 right?

10 A. Correct. But obviously I have to conform
11 to Texas state law.

12 Q. So on page 9 -- excuse me, page 8 of your
13 Perez affidavit, you write, Defendants' failure to
14 take reasonable measures to prevent foreseeable harm
15 is evidence of gross indifference if not callous
16 disregard for the security of 500 Crosstimbers'
17 tenants and invitees.

18 And then you go on to explain all of the
19 13 or 14 bullet points that in your view, reflect
20 deliberate indifference and callous disregard for
21 tenant safety in the Perez case.

22 So the first thing that you said in the
23 Perez case was defendants had a broken security gate
24 and did not fix it.

25 Okay. Do you still believe that having a

Page 202

1 broken security gate and not fixing it is evidence
2 of callous discard for tenant safety?

3 A. You conveniently left off the sentence
4 right after that where it says, quote, Defendant's
5 policies and procedures establish common ground
6 maintenance is the highest of priorities.

7 And, in fact, they specifically -- I
8 believe the deposition testimony was when the gate
9 is broken, you fix it. That was specifically in the
10 record. They also had a security officer that they
11 used to deploy and then fired who would have been
12 posted at the broken gate at the time of the
13 incident at the time the assailants went through the
14 open gate. So you're ignoring those two pieces of
15 data, but other than that, you're correct.

16 Q. I think what might matter in terms of data
17 that's absent is the apartment complex in the Perez
18 case had a policy manual for how to keep the grounds
19 safe, and TPI does not have one for Seven Courts,
20 does it?

21 A. As I said earlier, they did not have a
22 formal written plan, but obviously the data points
23 listed in my report are functionally equivalent or
24 analogous to a plan.

25 Q. Okay. So -- okay. So you also said that

Page 203

1 it showed callous disregard for tenant safety when
2 defendants' failure to have someone monitor the
3 broken gate contrary to the policies, right?

4 A. Right, if their policy said to do that and
5 they didn't do it, then they're acting contrary to
6 their policies.

7 Q. And so if you just don't have any policies
8 whatsoever about how to keep the property safe,
9 there's nothing for you to violate. But that makes
10 it okay?

11 MR. MELCHER: Objection; form.

12 A. I didn't say that. Are you testifying?

13 Q. Well, I'm trying to understand the logic
14 of your opinion because -- you get what I'm saying.

15 Okay. You also in this opinion -- it must
16 be the case that having a gate would have mattered
17 or else you wouldn't say that having a broken gate
18 exhibits callous disregard for tenant safety.

19 A. Right. Because the courtesy officer said
20 that he would have been posted at the gate had he
21 not been let go prior to the incident.

22 Q. Well, hold on. We'll get to that. That's
23 a different bullet. You actually just wrote, bullet
24 one, Defendants had a broken security gate and did
25 not fix it.

Page 204

1 If a gate is as meaningless for crime
2 prevention as you've been telling me all day, why
3 would it show callous disregard to have a broken
4 gate?

5 A. Because it was in their policies not to
6 have a broken, or if it was broken, to post somebody
7 at the gate until it was fixed.

8 Q. And TPI doesn't have that problem because
9 they just have no policies at all, right?

10 MR. MELCHER: Objection; form, asked
11 and answered.

12 A. It's not a gated property.

13 Q. Right.

14 All right. So bullet 3 is, Defendants
15 fired their courtesy officer and did not replace
16 him, which was a reduction in their own standard of
17 care.

18 That's what you wrote?

19 A. Correct.

20 Q. Okay. I'll grant you it wasn't as bad as
21 firing Mr. Hickey; it was just not hiring him in a
22 robust way because they wanted to spend money on
23 security cameras that were inoperative.

24 Do you think that that shows callous
25 disregard for tenant safety at Seven Courts?

Page 205

1 MR. MELCHER: Objection; form.

2 A. No.

3 Q. Number 4, Defendants failed to collect any
4 crime data for the property even though the property
5 manager went to Houston Police Department PIP
6 meetings at one point had a courtesy officer who
7 could have obtained the data for free.

8 So it was your testimony in the Perez case
9 that when a property manager or an apartment complex
10 manager doesn't get crime data from the police
11 department, that is callous disregard for tenant
12 safety, right?

13 A. I don't think that's what my affidavit
14 says. In fact, it doesn't say that at all.

15 Q. Well, it says they failed to collect any
16 crime data for the property.

17 A. Right. After going to those PIP meetings
18 which instruct them to do that.

19 Q. It says even though they went to the PIP
20 meetings.

21 A. Right. And at the PIP meetings, there was
22 an instruction to get the date, and I believe the
23 courtesy officer testified that he could have gotten
24 the data for them for free. So as I said earlier in
25 the deposition, I'm all for collecting crime data.

Page 206

1 Whether it's required or not, is up to the
2 jurisdiction. I'm all for collecting it.

3 Q. I actually take your point to be that if
4 you can get free crime data, that's what you ought
5 to do, because if not, you're just operating in the
6 dark and you're exhibiting callous disregard for
7 tenant safety.

8 A. The last part is not what I agree with,
9 but I do agree it's good to collect crime data. I
10 have said that many times today. As a
11 criminologist, I'm all for that.

12 Q. Do you know what it costs to get crime
13 data from the Atlanta Police Department?

14 A. Depends what you're asking.

15 Q. Do you know how to get the police reports
16 that you base your opinions on?

17 A. Typically through an open records request,
18 although some departments require something more.

19 Q. So assume with me that what you have to do
20 to get crime data for a property is send an email,
21 and if it takes more than 30 minutes, you pay a very
22 low hourly rate for them to redact people's phone
23 numbers and Social Security numbers from the report.
24 So it's kind of a de minimis cost.

25 Assume with me that that's how you can get

Page 207

1 crime reports. Okay. Do you think that failing to
2 do that by TPI exhibits callous disregard like it
3 did of the tenant or the landowner in the Perez
4 case?

5 A. Can you...

6 Q. Do you want me to make it bigger?

7 A. Now I can't see what I was trying to read.

8 Q. Do you want me to make it smaller again?

9 A. Right. So, again, you're taking
10 individual bullet points and saying this one alone
11 means that they were callous and indifferent when
12 clearly there's 13, 14, 15, whatever, I can't see
13 the second page, but multiple indicators of other
14 failures of this property to do what it said it was
15 going to do.

16 So, you know, you're cherry-picking one
17 item and saying that's callous indifference, and
18 that's not what the affidavit says.

19 Q. And we'll just -- I'm -- I'm planning to
20 go through all of them, but I need to go one by one
21 because there are 14.

22 A. Right. But the 14 in totality that
23 explain the indifference, which is listed in the
24 previous paragraph.

25 Q. I see. I see.

Page 208

1 All right. Number 5, Defendants failed to
2 implement or attempt to implement any preventative
3 patrol on the premises.

4 What did you mean there?

5 A. They had a courtesy officer who patrolled
6 the property periodically; they fired him. This is
7 despite the leasing agent almost being raped, I
8 think, within that two-year reference period inside
9 the leasing office.

10 Q. Ms. Wynn was -- not sexually but Ms. Wynn
11 was assaulted once or twice in the leasing office
12 within the two-year period prior to this incident.

13 A. Right.

14 Q. Did you know that?

15 A. She was punched in the mouth after she
16 tried to kick someone out of the property, and yet
17 your contention is that she was a drug dealer and
18 criminal and running a nuisance property. That
19 doesn't make any sense. You're kicking people out
20 and getting assaulted for it and she's running a
21 nuisance property?

22 Q. I think you're maybe overstating some of
23 what we're saying. I think we don't need to debate
24 that. I don't need to get your opinions on Ms. Wynn
25 and what the evidence shows. That's really not for

Page 209

1 you.

2 A. You just asked me.

3 MR. MELCHER: You just asked him that,
4 Aaron.

5 Q. On that?

6 A. Yeah, you asked me specifically about
7 Ms. Wynn and how horrible of a manager she was and
8 how she's running a criminal syndicate at Seven
9 Courts and that's --

10 Q. Slightly different question. I asked
11 whether you considered the allegations against her,
12 how you factored that into your analysis. We don't
13 need to debate, you know, questions I asked you four
14 or five hours ago unless you just really want to.

15 Number 6, Defendants failed to generate
16 any internal reports about crime on its property.

17 So that TPI did. I will spot them that.
18 Doesn't sound like you reviewed those unless they
19 were incidentally attached to a deposition, but they
20 exist.

21 Defendants provided Ms. Perez misleading
22 information when she asked whether the property was
23 safe.

24 I don't need to ask you about the
25 communications between Ms. Wynn and the Diaz family.

Page 210

1 That's not really for you.

2 Ms. Nunez, the property manager, testified
3 it was her responsibility to warn tenants about
4 crime and management requires her to do it, yet she
5 failed to do this.

6 Here is my question on that one: Have you
7 seen any evidence in this case that TPI, as a matter
8 of corporate policy, required Ms. Wynn to warn
9 tenants about crime at Seven Courts?

10 A. I have not seen that specific policy, no.

11 Q. Then you say number 9, Ms. Nunez, the
12 property manager, said that had she known about all
13 the prior crime, she would have requested additional
14 security. And then you say she could have gotten
15 the data. I'm not sure that maps here or not.

16 Number 10, There were six Part I felonies
17 in the six months after defendants purchased the
18 property and took over its management.

19 I'm not exactly sure when they took over
20 the property and how that lines up with your
21 temporal analysis in this case.

22 So number 11, Defendants failed to have
23 any crime prevention survey done at the property,
24 which the Houston Police Department could have
25 conducted for free.

Page 211

1 Are you aware of any evidence that TPI
2 requested a crime prevention survey at Seven Courts?

3 A. No. But that was being provided by both
4 Holt and Hickey during the entirety of their
5 deployment there. So they wouldn't have to request
6 one.

7 Q. You don't think the police might have
8 broader, richer data than just Mr. Holt and
9 Mr. Hickey?

10 A. They're boots on the ground. They know
11 that property better than anybody and certainly
12 better than the APD does.

13 Q. Okay. So we should actually defer to
14 Mr. Holt and Mr. Hickey for what crime was really
15 like at Seven Courts?

16 MR. MELCHER: Objection; form.

17 A. In addition to the police reports that
18 were part of the file, yes, and in addition to the
19 other deponents who provided corroborating
20 information or the lack thereof on some of
21 Mr. Holt's observations.

22 Q. Defendants failed to do any background
23 check on their tenants, and the HPD offense reports
24 establish at least one career criminal living on the
25 property.

Page 212

1 And you have testified that you believe
2 that Seven Courts actually did -- or TPI actually
3 performed background checks on Seven Courts'
4 tenants. And, you know, that's just what you
5 believe. You know, I have to tell you we have seen
6 hide nor hair of that, but you and I can't resolve
7 that today.

8 MR. MELCHER: Is that a question?

9 Q. Number 13 --

10 A. That's not what I believe; it's what
11 Ms. Wynn informed me and it's what HUD requires.
12 So, you know, I don't know what else to say.

13 Q. But don't you think that if Seven Courts
14 were actually doing that, when we asked for their
15 security documents, they would (audio distortion)
16 send them to us?

17 A. I suppose that would require them to give
18 you every single lease that was taken at the
19 property, and then within those leases, every single
20 background check that was performed on every single
21 would-be tenant. I can't speak for them, but that's
22 what it would require, I suppose.

23 Q. There's not even one for our clients where
24 we do have the tenant file.

25 But you didn't consider that; you just

Page 213

1 took it at face value that they did it.

2 So number 13 --

3 MR. MELCHER: Wait. Wait. Wait.

4 Q. -- Defendants failed --

5 MR. MELCHER: Is that a question?

6 MR. BLOCK: Well, sure, I can put a
7 question mark on it.

8 Q. You didn't look at our tenant file -- the
9 tenant file for the Diaz family to confirm whether
10 there was a background check in there, did you?

11 A. I reviewed all the available discovery
12 that was provided to me.

13 Q. I didn't see in your list the Diaz
14 family's tenant file, so it looks like you didn't
15 consider it.

16 A. I would not necessarily agree with that.
17 Like I said, I looked at all the available discovery
18 that was provided to me.

19 Q. And if we wanted to know what is provided
20 to you, we would go back to your list, which doesn't
21 include the Diaz family tenant file.

22 A. Well, unless it was listed under
23 defendant's responses to -- TPI's responses to
24 plaintiffs' second set of requests for production of
25 documents. I'm assuming it would be embedded in

Page 214

1 either that one or the first set of discovery.

2 Q. Well, yeah, but the discovery includes --
3 actually, you know what we can do is if you want --
4 if you're going to make me do this, we can actually
5 go into the ShareFile and see if it's in there.

6 TPI's produced, as Jeff knows, thousands
7 of documents. So you just -- you don't have those;
8 you just don't. Other than ones that, you know,
9 were appended to something that you were given.

10 MR. MELCHER: Again, I don't think
11 that's a question. I just think that's a soliloquy
12 but --

13 MR. BLOCK: Sure. You are right.

14 Q. Number 13, Defendants failed to reach out
15 to any nearby complexes, which its policies and
16 procedures say it should do. Reaching out could
17 include identifying crime data and getting help with
18 a shared patrol.

19 So you don't have any evidence that TPI
20 reached out to nearby complexes for their crime
21 data, do you?

22 A. It wasn't in any of their policies and
23 procedures or testimony that they were required to
24 do that. It was in the Crosstimbers case.

25 Q. Yeah.

Page 215

1 So here again, TPI doesn't have to do
2 something to detect crime because they didn't put it
3 into a policy, right?

4 A. I guess that's your position. It wouldn't
5 be mine, but if that's what you say.

6 Q. Number 14, Defendants failed to develop or
7 attempt to develop a community crime watch
8 organization among their tenants which could have
9 improved levels of informal social control and had a
10 meaningful crime prevention effect.

11 Do you have any evidence that TPI
12 attempted to develop a community crime watch
13 organization among their tenants?

14 A. No.

15 Q. Do you think that's a problem?

16 A. I'm generally supportive of that kind of
17 measure. Whether it's a problem, I don't know how
18 it relates to the facts of this case, but I'm
19 generally supportive of that if the crime pattern
20 justifies it.

21 Q. If you look at the very last paragraph,
22 you write, Access is the lifeblood of predatory
23 offending. Cut off the access and you generally cut
24 off the opportunity for crime.

25 Was that a true statement of your opinions

Page 216

1 when you testified to that effect in 2009?

2 A. Generally speaking, that is true.

3 Generally speaking.

4 Q. It's still true?

5 A. Are you talking about this particular case
6 or in all cases? I mean, the question is --

7 Q. I'm --

8 A. Yeah, if you can anticipate that a
9 particular act of violence is going to happen and
10 you have opportunity to cut off the access and you
11 don't, then that's probably going to be a problem.
12 But if you don't know and the crime data doesn't
13 suggest to you that access control is an issue, then
14 it's not.

15 In fact, I don't believe that statement
16 that you just read was in this report. That was
17 part of a different plaintiff case where the
18 offender walked in through an unlocked door and
19 roamed around the building for two to three hours
20 before attacking a lady inside at a time when that
21 building was supposed to be locked.

22 So, yes, access is the lifeblood of
23 predatory offending, especially when the door is
24 supposed to be locked and it isn't.

25 Q. That language I read is coming straight

Page 217

1 out of your affidavit from the Perez case. I don't
2 know about this other case you're talking about
3 where the defendant came in -- or the offender was
4 wandering around in an unlocked building.

5 A. Can you show me where it says that in this
6 affidavit?

7 Q. Yeah, I'll make it bigger. It says,
8 Access is the lifeblood --

9 A. Okay.

10 Q. -- of predatory offending. Cut off the
11 access and you generally cut off the opportunity for
12 crime.

13 A. Right.

14 Q. That last paragraph.

15 A. Again, it refers to the firing of the
16 courtesy officer who would have been positioned at
17 the gate exactly where the crime happened and the
18 courtesy officer saying that that was a dumb move.

19 Q. Let me ask you, Dr. Jacobs, in your -- I'm
20 going to go back to your report, Exhibit 4. You
21 have in paragraph 30 a partial list of papers, and I
22 counted 38 papers. And you kind of briefly
23 referenced functional limits of deterrence.

24 Really your opinion about these papers
25 seems to be that they would be useful for the jury

Page 218

1 to understand.

2 What do you intend to tell the jury about
3 these 38 papers?

4 A. Well, again, that's a partial list. What
5 I would do is educate them on the functional limits
6 of crime prevention and the theoretical reasons
7 behind those limits to help them understand why,
8 despite the presence of, for example, lighting or
9 gates or cameras or uniform law enforcement
10 presence, why violence still happens or still can
11 happen.

12 And so those studies really essentially
13 catalogue the reasons why that can still happen, and
14 the reasons are defiance, imprudence, and
15 displacement.

16 And so it's merely to educate the triers
17 of fact in an area of knowledge that is beyond their
18 normal expertise, which is exactly what an expert is
19 supposed to be doing.

20 And in this case, it helps them understand
21 why violent crime can still happen despite all these
22 security measures. And I will walk them through the
23 overall findings of these various studies to help
24 them explain -- particularly the uniform law
25 enforcement hot spot studies where you have police

Page 219

1 in a very small geographic area intensely over a
2 several week or several month long period and you do
3 a randomized control trial, which is the gold
4 standard in science, and you compare violent crime
5 rates at hot spots with police versus at hot spots
6 without police. And there's either no statistically
7 significant reduction in the experimental group
8 relative to the control group or there is a
9 reduction but it's minor or modest at best.

10 Like, most jurors would wonder, like, why
11 in the world is that true. Like, you have got cops
12 at a small geographic location such as an apartment
13 complex or a convenience store or a strip center,
14 and you have got no statistically significant
15 reduction in violence or maybe a small reduction
16 that's modest at best. Like, what in the world
17 would explain that. And the explanations based on
18 the peer-reviewed science are defiance, imprudence,
19 and displacement.

20 And I would walk them through those
21 findings and explain how they contextualize the lack
22 of a reduction that you see in violence despite the
23 presence of even sworn law enforcement officers.

24 Q. So I interpret what you're saying to mean
25 that insofar as scientific studies can measure it,

Page 220

1 armed guards, whether they're police officers or
2 private security guards, don't reduce crime;
3 lighting doesn't reduce crime; gating and fences
4 don't reduce crime.

5 So is that really in a nutshell what
6 you're saying about what the literature shows?

7 A. No, not at all. You're saying crime; I'm
8 saying violent crime. There's a big distinction.

9 Q. Yeah, I'm sorry. Let me be specific about
10 this.

11 What I understand you to be saying is that
12 based on your view of the scientific literature,
13 armed guards, policemen or private security
14 officers, good lighting, gates and fences do not
15 reduce violent crime.

16 A. What I'll say is I what I said in my
17 report and what I said earlier, that the
18 lighting/violence relationship is null. The
19 camera/violence relationship is negligible. The law
20 enforcement patrol/hot spot violence reduction
21 relationship, depending on the study you look, there
22 could be some reduction. Sometimes it's
23 statistically significant; sometimes it's not. But
24 even when you do get a statistically significant
25 reduction of violence, the reduction tends to be

Page 221

1 minor or moderate.

2 So like I said, I'm not against these
3 measures; I'm just trying to tell you and the jury
4 what the science says about all this stuff and, you
5 know, does the treatment cure the patient. Does the
6 treatment cure the disease. And to what extent does
7 it treat and cure the disease. And that's all I'm
8 doing is educating them on what these studies say.

9 The disease is violence, the treatment is
10 security, nothing more, nothing less.

11 MR. MELCHER: Can we take a short
12 break.

13 MR. BLOCK: Yes.

14 (Recess 2:49 p.m. to 2:58 p.m.)

15 Q. Dr. Jacobs, I want to pick up where we
16 left off. As a foundational point, what I
17 understand you to be saying, correct me if I'm
18 wrong, is that when you look at the scientific
19 literature, the effect of security guards, lighting,
20 fencing on reducing violent crime is, like, slim to
21 none.

22 Is that basically the gist of what you're
23 saying?

24 A. Well, it would depend on -- it would
25 depend on the fact pattern like -- if you have more

Page 222

1 information about the crime in question, uniform
2 police presence can actually be more effective than
3 if you don't have the information. It's called
4 intelligence-based policing.

5 But in a case like this, you don't have
6 specific intelligence on the particular criminal, so
7 it would have defaulted back to what the typical
8 studies say about it in terms of the reduction,
9 which is not all that remarkable.

10 And then the other stuff, lighting,
11 gating, fencing, again, there's nothing wrong with
12 it, you know. I'm not against it per se. But, you
13 know, does it more likely than not reduce the
14 probability of an armed robbery and home invasion, I
15 don't think anyone can say that unless they have
16 more specific information about the fact pattern.

17 Q. Part of what I'm wondering and you can
18 explain for me is why does everybody do it. And
19 there's obviously a ton of money that goes into
20 designing crime prevention plans like you have been
21 affiliated with that includes things like security
22 guards and cameras and lighting and fencing and
23 gates and so on. I mean, it is the case. You can
24 look out and drive around and see all that stuff.

25 And so it's not unheard of, but it's

Page 223

1 unusual for people -- many people to spend lots of
2 money on, you know, theatre or charades. So help me
3 understand, like, practically speaking why is it
4 that there's a whole industry that sells that
5 service to people and has consumers for it if it
6 doesn't do any good in reducing violent crime.

7 A. Fear is very effective. That's the first
8 answer. Second answer is for some offenders in some
9 circumstances, it does work. A lot of those things
10 are undetectable because deterrence is invisible, so
11 you can't measure something that didn't happen.

12 But having said that, again, when you have
13 the best available comparison studies, the reduction
14 and violence, for example, with these various
15 measures is not great, but again, doesn't mean you
16 don't do it. As some offenders in some
17 circumstances, it will work. But, you know, a lot
18 of offenders simply don't care, and that's reflected
19 by the data.

20 Q. Can you tell me then if we look at your
21 list of literature -- and I can actually put -- I
22 think I can put the folder up on the screen. Maybe
23 not. So let's try without it.

24 Let's just focus on security guards.

25 Which of the papers in your file that you think

Page 224

1 demonstrate that security guards do not have an
2 effect on reducing crime?

3 A. Well, it would be law enforcement more
4 generally in terms of uniform crime prevention
5 presence, not security per se although -- so it
6 would be more -- the hot spot studies are almost
7 always done on law enforcement, which is a higher
8 standard, which is I think even more probative of
9 these issues because more often than not, you're
10 talking about a sworn police presence as opposed to
11 just a random mall cop, which is a much higher
12 standard of police presence. And yet even with a
13 sworn police presence, these comparison studies are
14 unremarkable at best.

15 Q. So which name should I look at in papers?
16 What are the authors or the names of the papers that
17 in your view demonstrate that even armed -- excuse
18 me, even uniformed police officer presence does not
19 deter violent crime or reduce the risk of violent
20 crime?

21 A. Again, some of the studies will show a
22 statistically significant reduction in violence.
23 What that doesn't account for is the nature of the
24 reduction. Statistical significance means it's more
25 likely than not that we got this reduction because

Page 225

1 of the cops, not some other measure or not some
2 other chance factor. That's what statistical
3 significance means.

4 Once you get statistical significant, then
5 you see what the reduction is. In some studies,
6 like the Sherman study, I think it was 6 to 13
7 percent was the reduction. The Groff study, I think
8 it was higher but it depended on the crime.

9 The studies you want to look at are
10 Sherman, Groff. Some of these are not in the report
11 but they are in the ShareFile link. The Telep
12 study, T-e-l-e-p.

13 Q. I'm sorry, which one was that?

14 A. Telep.

15 Q. Which was it?

16 A. T-e-l-e-p.

17 Q. I saw that.

18 A. The Groff study. The Rosenfeld study.
19 The Taylor study. The Ratcliffe study.

20 And again, some of these studies do show a
21 statistically significant reduction in violence with
22 law enforcement presence, but that doesn't tell you
23 the size of the reduction.

24 And if the size of reduction is, for
25 example, 20 to 30 percent, that means 70 to

Page 226

1 80 percent of the violence remains relative to the
2 control group, which is not more likely than not.

3 Q. It matters a great deal for the 20 or
4 30 percent of victims who weren't victimized, right?

5 A. Absolutely. And so, yeah, at a city
6 level, you know, at 20 percent reduction, it -- you
7 know, at that level of aggregation is genuine and
8 important. But at a specific property or set of
9 properties, it's less hard -- it's more difficult to
10 make the argument that this presence would have
11 prevented a crime like this.

12 Q. And is that because you're measuring over
13 a much smaller area and it's hard to get a really
14 good -- it's not a controlled trial, it's even hard
15 to find a natural comp, is that -- these are some of
16 the limitations?

17 A. No. No. No. What I'm saying is the hot
18 spots -- the randomized control trials do that for
19 you. They typically, you know, look at 20, 25
20 different hot spots throughout a city, which are
21 small geographic areas like an apartment complex or
22 a half a block or something like that. So you do
23 get the data.

24 What I'm saying is if you can apply this
25 on a city level and get a 10 percent reduction, if

Page 227

1 Atlanta has got 2,000 violent crimes in a year,
2 10 percent reduction is 200. That's significant for
3 a city.

4 But for a property where you might have,
5 let's say, four violent crimes in a year or three, a
6 10 percent reduction is not even one crime reduced.

7 Q. Small numbers?

8 A. Right.

9 Q. Yeah. It's very difficult to measure
10 small numbers -- changes in small numbers, I should
11 say. It's easy to measure small numbers; it's
12 harder to measure changes in them.

13 MR. BLOCK: Okay. All right. Those
14 are the questions I have for your, Dr. Jacobs. Thank
15 you.

16 THE WITNESS: All right.

17 MR. MELCHER: We're going to read and
18 sign.

19 (Deposition concluded at 3:06 p.m.)

20

21

22

23

24

25

Page 228

1 DEPOSITION CHANGES

2 WITNESS: BRUCE JACOBS

3 PAGE NO. LINE NO. CHANGE REASON FOR CHANGE

4 _____

5 _____

6 _____

7 _____

8 _____

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

15 _____

16 _____

17 _____

18 _____

19 _____

20 _____

21 _____

22 _____

23 _____

24 _____

25 _____

August 11, 2022

Page 229

1
2
3
4

(Signature of the Witness)

5
6
7

8 THE STATE OF _____
9 COUNTY OF _____

10
11
12
13

Subscribed and sworn to before me by the said
witness, BRUCE JACOBS, on this the _____ day of
_____, 2022.

14
15

16 Notary Public in and for the
State of _____
County of _____

17
18

My commission expires: _____

19
20
21
22
23
24
25

Page 230

1 STATE OF TEXAS)
2 COUNTY OF DALLAS)

3 I, Michelle L. Munroe, Certified Shorthand
4 Reporter in and for the State of Texas, certify that
5 the foregoing deposition of BRUCE JACOBS was reported
6 stenographically by me at the time and place
7 indicated, said witness having been placed under oath
8 by me, and that the deposition is a true record of
9 the testimony given by the witness;

10 That the amount of time used by each party at
11 the deposition is as follows:

12 Mr. Block - 5 hours, 9 minutes

13 I further certify that I am neither counsel for
14 nor related to any party in this cause and am not
15 financially interested in its outcome.

16 Given under my hand on this the 25th day
17 of August, 2022.

18
19
20
21


22 Michelle L. Munroe, CSR No. 6011
23 Commission expires 1-31-24
24 Firm Registration #571
25 VERITEXT LEGAL SOLUTIONS
300 Throckmorton Street, Suite 1600
Fort Worth, Texas 76102
817.336.3042 telephone

[& - 3]

Page 1

&	12:29 145:8	2003 6:2,4	158:4 182:22,24
& 2:9	13 201:19 207:12	2004 14:23	183:1
0	212:9 213:2	193:17	22 64:10 91:23
03661 1:8	214:14 225:6	2005 10:20	118:5 182:25
1	14 201:19 207:12	193:16	183:3
1 3:6 31:12,16 33:5,12,15 43:25 55:3,19 69:21 126:24 130:24 167:16	207:21,22 215:6	2009 216:1	23 102:25 103:8
1,095 125:17	15 134:23 207:12	2017 33:10 57:12	118:4,6 145:13
1-31-24 230:22	16 107:6,7,8 169:1	2019 152:14 167:13,14,16	145:15,24 188:6 194:14
10 127:1 210:16 226:25 227:2,6	1600 230:23	169:1,21 170:18	24 92:14 102:2
10,000 167:22	16958 230:20	2020 104:4 147:6	145:13,15,22
10/11/2019 168:10	170 182:5	147:7,10,23,23	146:2,8,19 150:2
10/12/2019 168:6	18 56:2,3 110:21 158:4	152:14 154:16	150:9
100 184:16	18,000 162:11	2021 53:22 56:3	25 92:14 112:18
1000 87:10	186 3:10	63:23 64:8	145:13,15,18
10:25 63:11	19 111:17 156:24	91:23 94:8,22	150:9 184:20
10:32 63:11	1979 57:14	96:24 97:7	226:19
11 1:16 64:13,16 90:14 95:7 102:3,5 146:9,12 150:2 151:2 153:18 210:22	1989 56:24 57:14 57:25	117:14 146:4 147:23 148:5	250 1:24
11/3/2019 170:9	1994 5:25 6:2	149:1,2,9 152:15	25th 230:16
11/5/2019 168:17	1:05 145:8	152:23 153:19	26 92:14 112:21
11th 1:19	1:21 1:8	155:3,22 172:23	27 3:9 61:2,3
12 15:3 32:14,22 147:10,11 151:3 153:18 193:4	2	173:4,10,25	63:13 64:11,15
12/12/20 146:23	2 3:7 32:22,24 69:21 83:21 86:11 108:9 188:2	174:8,14,19	64:17,22,24 65:4
	2,000 227:1	175:1 184:25	66:11 92:14
	2,310 60:25	185:14,22 192:8	112:21 164:1
	20 6:12 38:16 81:21 113:9 154:22 156:25	192:10,12,19,20	27th 65:13 66:22
	225:25 226:3,6 226:19	192:23	67:8,19
	200 227:2	2022 1:16,19 3:9 33:18 60:24	28 92:14 112:21
		61:22 63:13	2800 2:10
		64:12,13,24 65:4	29 113:1
		66:12 170:23	2:49 221:14
		229:13 230:17	2:58 221:14
		21 51:25 56:2	3
		60:23 64:10	
		114:3 143:18	
		148:10 154:23	

[3/8/22 - activity]

Page 2

3/8/22 33:10	42 95:8 181:22	8/2/20 146:18	absorbed 108:3
30 13:4 49:15 61:22 77:23 113:1 148:2 206:21 217:21 225:25 226:4	43 68:2 45 34:5 46 65:25 4:30 169:22	147:3 151:1 80 226:1 817.336.3042 230:24	academic 9:9,16 10:4 15:7,14 22:23 106:15 123:8,17,24
300 230:23	5	825 1:23 89 57:15 8:00 168:10	academy 58:9 104:24
303 2:9	5 3:10 71:3 106:4 186:6,12 201:2 208:1 230:11	9	acceptable 39:15 39:17
30305 2:5	5.85 60:25 500 187:22 188:1 188:5 201:16	9 61:7 193:15 201:12 210:11 230:11	acceptance 58:12
30308 2:10	56 3:8 571 230:22	90s 6:23 911 51:12 107:21 99.7 164:3,9 9:05 1:19 9th 60:23	access 22:17 40:23 41:17,21 41:25 131:2 215:22,23 216:10,13,22 217:8,11
309 2:4	6	a	accompanied 164:2,4,13 167:3
30th 60:24 61:1	6 102:25 106:4 145:11 162:4 170:18 209:15 225:6	a.m. 1:19 63:11 63:11	account 20:23 20:25 21:4,7 224:23
31 3:6	6011 230:21 63 3:9	aaron 2:3,6 4:7 79:4 138:20 189:23 196:19 209:4	accountant 16:1
32 3:7	7	abby 133:7 ability 70:21 able 16:24 51:6 149:5 180:12	accurate 189:20
34 113:3,3 176:25	7 56:2,2 81:10,10 81:23 82:4,8,15 83:6 158:4,4	absence 185:17 185:18	accusing 199:15
36 126:22	7,516 60:23 70 225:25 70,000 13:4 76102 230:24	absent 202:17	acquired 29:17 30:1
37 135:5 141:19 143:12	7th 157:3	absolutely 84:6 102:14 106:1	act 59:24 72:12 102:4 193:3 216:9
38 135:5 217:22 218:3	8	130:1 154:11 156:3 158:19 226:5	acted 98:4 acting 79:23 203:5
39 135:5 143:22	8 33:18 89:8 128:13 130:4 201:12		active 8:10 12:18 124:2
3:06 227:19			actively 62:14
4			activity 49:3 50:4 70:11
4 3:3,9 63:14,17 145:10 205:3 217:20	7 56:2,2 81:10,10 81:23 82:4,8,15 83:6 158:4,4		
4/6/19 154:9	7,516 60:23		
40 113:6 178:12	70 225:25		
40,000 58:11 81:20 88:7	70,000 13:4		
400 2:4	76102 230:24		
404.739.8812 2:11	7th 157:3		
404.997.8419 2:5	8 33:18 89:8 128:13 130:4 201:12		
41 65:23 113:6 179:14			

[activity - analysis]

Page 3

71:10,12,15,22	140:8,19 141:2	193:21,22,24	allocate 192:2
72:1,7,9 73:4,10	171:4	194:4,11,12	allocating 8:16
73:13 74:18	adequately	195:7,8,9,9,10	allow 16:19
75:1,6,16,24	38:12	195:12	alluded 65:17
76:6,8,22 77:4,6	adhering 136:24	aggregation	alongs 7:22
78:8,9,15 79:25	adjacent 122:16	226:7	amazon 167:25
183:19 184:3	administration	agnostic 174:15	ambiguity 53:24
acts 158:3	56:19	ago 26:23 27:3	54:3
actual 107:13	advanced 90:22	71:25 88:10	amenable 138:8
142:9 145:23	advice 83:24	94:15 184:17,18	138:11
155:3	86:5 87:24 88:2	190:10 209:14	american 57:1
addition 49:15	advise 84:25	agree 4:18	58:6,7 104:23
65:15 67:7	85:4	110:20 116:20	amount 60:25
142:5 148:14	advising 156:1	148:16 173:1	181:2,14 230:10
211:17,18	advocate 116:7	199:14 206:8,9	analogous
additional 30:9	116:17	213:16	202:24
30:17 31:23	affect 77:8,12	agreed 129:23	analysis 6:9,15
66:5,12 67:9	78:15 80:1	agreement 1:25	27:25,25 28:1,1
68:20 107:24	affidavit 3:10	17:1	28:14 29:6,6,12
148:11 153:6	186:7,19 187:4	ahead 30:5	29:13,18 30:11
161:8 210:13	187:18 188:10	32:21 35:20	30:12,13 42:24
address 37:25	201:2,13 205:13	41:2 73:19	49:6 54:17
90:16 101:20	207:18 217:1,6	77:16 138:4	61:11 71:23
187:25	affiliated 35:14	147:2 158:14	72:6 73:17 76:3
adequacy 6:13	222:21	airport 62:4,13	76:11 78:16
92:24 147:18	affirmative	alignment	80:1 81:13 83:2
171:12,17 200:6	42:11	113:21,22	84:9 92:16
200:12	affirmatively	allegation 80:13	100:7,8,8,15,15
adequate 81:25	18:21 22:13	allegations 9:6	100:16 101:15
82:22 83:9,12	23:14 24:6,10	49:2,4 74:3	101:16 102:7,17
91:13 93:18,25	40:16 48:11	77:19 80:15	102:18 110:16
94:12 97:15,17	afternoon 143:9	122:19 123:5	110:22 111:2,7,9
98:7 114:8,10	169:22	198:13,15	112:19,20 116:1
122:6 125:1	agent 142:24	209:11	117:2 122:11,12
131:22 132:13	208:7	alleged 137:2	126:8 128:9
132:18 134:1,18	aggravated	147:4 175:17	131:11 136:11
135:9,13 137:18	119:24 172:13	allen 1:24	137:10 138:11
137:24 138:16	193:13,17,18,20		138:19,24 146:1

[analysis - area]

Page 4

149:15,18,20	38:25 40:20	190:2 200:20	applied 82:3
150:3,4,10,11	42:10 43:13	apartment 36:14	apply 17:2,6
151:7,14,19,20	44:13 49:20	37:1,19 38:4,10	38:19 99:17
151:22 152:3	50:2 77:24 78:5	38:20 39:13	226:24
154:1 155:20	80:8,9 100:21	81:20 88:7,12	applying 28:20
157:17,22,25	107:11,16 108:4	116:10 118:9,13	appreciate
158:1,21 160:20	115:2 117:6,10	120:9 123:19	100:20
160:21,24	123:16 134:24	126:4,11,24	approach 103:21
161:13 165:1,3	138:8 139:5,7,10	127:11 131:7,19	190:3
165:18 166:23	139:11,18 140:3	132:7 135:19	approached
167:7,19 169:18	140:3,5 141:9,16	176:21 177:11	60:15
170:4,14 172:6	153:1 168:19,24	178:10 185:25	approaches
175:25 184:7	171:19,19	187:8,25 188:7	98:10 183:8
190:21 209:12	173:16 174:4	188:19 190:7	appropriate
210:21	181:10,18 186:1	194:13 195:6,17	92:8 139:2
analytic 28:3	196:2,24 223:8,8	202:17 205:9	approximate
29:6 54:22	answered 40:16	219:12 226:21	146:9
100:6 111:17,19	42:9 48:10 73:1	apd 48:7 55:24	approximately
112:9,16,20,23	73:2 74:22 93:1	56:7 74:25	126:24 160:24
113:2,4,7	100:13 104:18	75:15 101:18	april 148:11
analyze 58:20	122:23 123:3	107:20,21	157:2,3 170:18
75:11 80:16	135:12 137:20	108:21 137:11	170:23
156:20 171:20	138:3,5,9 140:13	167:10,12,13,14	area 33:8 34:2
analyzed 59:18	141:10,14,18	170:7 211:12	48:3,8 50:21
73:21 75:17,18	173:12 193:2	apparent 127:17	51:17,18 62:15
76:13 80:19	204:11	146:14	62:21 63:2
124:12 125:18	answering	apparently	106:7 108:18
136:8 156:17	140:23 173:22	146:17 170:10	114:6 116:2
161:18	answers 86:7	175:20 181:23	117:3,8,8 120:9
analyzing	89:7 111:4	appear 152:13	120:10,23 121:3
101:20 116:14	116:5 161:10	162:5	124:22 126:12
163:1 200:7	199:1	appearance	126:14,17 127:5
annual 83:21	anticipate 216:8	182:3	127:11 128:5,6
86:11	anybody 63:6	appeared 14:23	129:14 131:5
annually 15:13	77:20 142:25	169:13	132:8 133:10,15
ansi 104:25	211:11	appears 21:22	138:16 141:20
answer 11:2,17	anyway 7:7,12	appended 214:9	142:3 218:17
15:9 17:10 30:6	134:16 157:8		219:1 226:13

[areas - atlanta]

Page 5

areas 44:1 112:14 120:22 121:6,8 124:13 226:21 argue 153:11 189:25 arguing 138:21 argument 78:6 79:22 173:4 226:10 arm 155:10,12 174:25 193:19 193:20 194:3 195:10 armed 91:21,21 92:17 94:8 101:9 103:17 104:2,11 105:23 112:18 117:12 117:20 118:18 119:1 120:17 128:12,24 130:3 130:20 133:20 135:6 136:20 143:24 144:1,7 145:20 147:9 152:15,18 153:7 153:20,24 154:4 154:10 155:10 155:10,11,13,21 172:11,22 173:9 173:24 174:7,13 174:19,23 177:5 179:6 182:7 190:17 191:10 193:4,6 220:1,13 222:14 224:17	arrive 100:11 article 14:18,22 56:25 57:4 58:3 177:19 articles 6:7 14:19 articulate 93:14 aside 55:19 108:20 116:18 163:11 asis 104:23 105:8 asked 8:23 16:16 27:7 31:18 33:6 35:23 36:5,22 39:1,5,7 40:12 40:13,15 41:3,11 42:4,5,9,14,22 43:5,20 44:7 45:25 47:2 48:7 49:19 52:8 73:1 74:13 95:5 109:16,17 114:25 122:4,5 123:2 124:24 133:5 135:24 138:2,21 141:13 144:22 158:23 159:2 173:11 190:11,13 196:4 196:5 198:13 204:10 209:2,3,6 209:10,13,22 212:14 asking 72:16 73:6,7,12 76:18 77:25 78:4 85:11 94:25	98:20 109:12 114:20 119:5,15 127:13 171:9 193:1 206:14 asks 95:16 assailants 202:13 assault 119:24 169:3,8,14,17 170:10,16 172:13 193:17 193:21,24 194:4 194:4,12 assaulted 169:4 170:11 208:11 208:20 assaults 13:20 172:4,15 assess 9:5 59:8 91:20 92:15 93:2,16 112:12 125:15 128:1 151:10 assessed 73:3 92:12 195:25 assesses 128:16 assessing 56:25 129:11 172:19 200:12 assessment 49:9 56:11,16 57:18 74:14 84:16 93:4,5 125:20 128:17 129:9 133:2 137:14 142:14 147:17 165:19 227:1	assessments 56:20 assets 83:22 87:1 151:11,21 assist 133:23 assistance 16:25 assistant 5:25 assisting 87:23 assists 68:24 associate 6:1 associated 10:3 46:23 98:9 142:23 164:17 association 39:13 58:8 assume 32:6 55:12 71:7 77:2 77:4,25 78:6 79:3,21 104:2,10 136:11,21 178:15 180:19 206:19,25 assuming 36:2 119:3,20 120:24 125:3 127:18 170:11 171:10 213:25 atlanta 1:3 2:5 2:10 34:1 60:2,6 61:7,9 62:6,8,16 65:7,7 78:13 79:22,23 80:22 108:21 121:10 121:11 129:21 131:20 132:6 140:18 156:6,18 156:19 206:13 227:1
--	---	--	--

[attached - believe]

Page 6

attached	109:2 209:19	168:23 available 42:4 43:21 48:21 66:6 68:20 81:7	182:11,13,23 187:20 193:16 193:24 201:1 213:20 217:20 222:7	144:3,4 146:5 150:25 151:13 152:17 219:17 220:12 222:4
attachment	165:13	111:6 114:15 120:24 121:1,9 121:24 127:18	background 36:1,3,18,20 37:4,16 38:6,23 39:3 70:25 211:22 212:3,20 213:10	basic 23:22 142:14,14 152:9
attack	93:11,13 94:17 96:10,24 97:8	213:11,17 223:13	backgrounds 145:14	basically 45:18 146:21,25
attacked	190:4,6	average 9:11 15:9	bad 96:4 174:12 174:15 199:17 204:20	basis 82:1,23 116:12 138:18
attacking	216:20	averse 53:25 54:3	badger 139:23	bear 161:12
attacks	91:1	aware 49:2 103:14 195:21 211:1	badly 130:5	167:10 171:3,10 171:11,16
attempt	142:22 175:16,17,21,24 208:2 215:7	axial 54:14,18 111:12	ball 175:18,19 176:7,22	beat 50:21
attempted	175:13 215:12	b	ballpark 15:5 16:2	beginning 17:9 59:24 187:21
attempts	175:7 175:13	b.m.f. 1:6 b23 182:11	bank 104:12	behalf 1:5 11:6 64:3
attention	81:22	bachelor's 5:18	barbed 128:13 130:4 133:20	behavior 39:16 39:17
attesting	58:12	back 11:4 25:22 29:10 33:5 36:6 42:13 43:24 48:1 50:7 53:5 54:2 55:15 56:12 58:15 59:20 62:22 74:17 75:4	barged 126:4	beholder 148:21
attitudes	13:10	79:10 81:9 94:19 118:5	base 206:16	belief 176:9
attorney	16:23 19:19,25 20:10 20:11 21:15,18 107:20 159:9	124:15 125:7,16 131:15 135:18 141:15,18 149:23 152:22 153:17 163:25	based 8:20 12:17 13:3,6 14:18,19 23:17 24:12 27:24 29:22 52:10 65:14 68:16 82:2 84:13 98:22 100:11,13,14 102:7,18 112:19 114:3 122:19 124:2,3 132:7	believe 10:19 17:23 18:5 39:7 41:20 47:4 49:23 52:5 58:9 58:11 60:12 63:15 64:1 68:10 87:17 88:10 102:4 117:15,22 126:8 144:23,25 175:17 176:7,11 176:15,18 183:2 197:5 201:25
attorneys	9:4 22:1 158:16			
audio	170:11 212:15			
august	1:16,19 230:17			
author	22:25 57:3			
authorization	10:20			
authors	224:16			
auto	163:2,2,7 163:12 164:9,16 168:8,9,11,12,17			

[believe - calls]

Page 7

202:8 205:22	145:4 173:15	broader 75:4	burning 88:21
212:1,5,10	189:6,10,14,20	124:23 178:7,7	120:5
216:15	189:24 195:21	179:24 211:8	business 49:9
benefit 23:9	196:22 197:1,4	broke 167:14	81:12 87:24
135:21	197:14,17,24	176:9	88:2
best 14:13 45:17	198:1,6,11,17,20	broken 176:19	businesses 83:19
219:9,16 223:13	199:6 200:2	201:23 202:1,9	busts 8:1
224:14	213:6 214:13	202:12 203:3,17	buys 8:2
better 153:23	221:13 226:22	203:24 204:3,6,6	c
179:1 211:11,12	227:13 230:11	brought 31:19	c 2:1 4:1 14:7,7
beyond 28:17	blockfirmllc.c...	32:9 108:11	83:1
85:6 132:22	2:6	bruce 1:15 3:2	caceres 1:4 4:17
133:3 141:12	board 89:17	3:10 4:2 25:9	4:19 65:21
148:10 218:17	bodies 104:21	186:7,17 228:2	calendar 157:5
big 27:14 62:13	105:15	229:12 230:5	california 5:23
220:8	books 6:7	budget 185:7	call 9:3 24:9
bigger 188:14	boots 46:16	building 104:5,7	48:6,13 49:18
207:6 217:7	211:10	216:19,21 217:4	51:6,12 81:22
bill 61:8	bottom 107:9	buildings 44:1	85:10 107:21
billed 6:24	187:18 193:21	178:2	160:20 163:23
billion 83:21,22	194:8,9	bullet 36:1 46:14	172:2 189:1
86:11 87:1	boulevard 1:24	46:15,21 51:21	191:15 196:6,16
biography 5:12	box 21:14,22,23	71:2 114:11	196:17
5:13,16	21:23 22:3	183:1 201:19	called 9:4 10:20
bit 5:12,15 6:22	159:7,21 160:1	203:23,23	18:4 101:19
11:4 12:22 17:8	brain 38:16	204:14 207:10	195:23 222:3
27:15 30:25	brand 24:11	bullets 40:5	calling 197:20
40:4,17 90:4	break 33:2 43:7	44:15	199:9
148:20 149:13	63:6,10 145:5	bunch 32:5 87:7	callous 201:15
177:21	221:12	burglaries 164:1	201:20 202:2
black 180:25	breakdown	164:16	203:1,18 204:3
181:13	62:24	burglary 13:19	204:24 205:11
block 2:3,3 3:3	brief 85:22	162:6 163:19,20	206:6 207:2,11
4:5,7 32:25 33:4	briefly 143:3	164:7,22,22	207:17
45:4,9 55:9 63:5	217:22	171:25 172:1	calls 14:22 43:4
63:9 77:9 79:9	brightly 181:12	175:16,21,24	68:12 77:15
134:22 138:22	bring 17:14 31:3	176:4	85:25
139:4,7,12,16,25	31:20 55:1		

[camera - cherry]

Page 8

camera	83:2 117:17 179:4,8 179:12 180:15 220:19	carjackings 172:14 case 11:1,5,9,14 14:5,9,9,18,20 16:17 18:2,5,11 18:12 19:13 25:5 26:10 27:15 28:4 30:23 36:14 37:14 40:24 41:9 42:15,18 43:2,16 47:16 55:14,25 57:18 58:23 59:6,16,25 60:7,11,15 61:3 61:24 62:24 66:4 67:3,10 69:5 71:1,18 72:7,20 74:3,8 76:12 80:19	187:1,3,8,13,22 188:3,16,17,22 190:5,8,11,12,13 191:10 193:11 194:7 195:15,23 195:23 196:1,3,5 196:7 198:16 201:4,7,8,21,23 202:18 203:16 205:8 207:4 210:7,21 214:24 215:18 216:5,17 217:1,2 218:20 222:5,23	certified 1:22 39:19 230:3 certify 230:4,13 cetera 170:2 chain 81:17 83:21 86:25 chair 10:16 89:9 89:16 chance 192:20 225:2 change 66:19 68:21 83:5 228:3,3 changed 20:7 66:8 67:3 149:4 159:25 197:5,8 changes 151:2 227:10,12 228:1 chapter 99:21 120:15 characterization 148:17 characterize 162:8 166:16 176:6 charades 223:2 charge 61:18 check 16:21 167:21 211:23 212:20 213:10 checks 36:1,3,18 36:20 37:4,16 38:6,23 39:3 40:5,11 71:5 cherry 113:18 195:4 207:16
canvass	33:8 34:2 62:15 63:2 108:18 114:6 126:15,17 127:5 130:2 132:8 135:15,16 141:20 142:7	43:2,16 47:16 55:14,25 57:18 58:23 59:6,16,25 60:7,11,15 61:3 61:24 62:24 66:4 67:3,10 69:5 71:1,18 72:7,20 74:3,8 76:12 80:19	215:18 216:5,17 217:1,2 218:20 222:5,23	
canvassed	177:12	cases 6:11 82:17 105:13 158:12 159:3 216:6		
capacity	169:12	casing 95:23		
capture	37:7 150:9	catalogue 82:21 83:8 218:13		
car	8:11 142:17	catalogued 81:24 83:10		
care	10:21 54:9 102:22,23 103:2 103:6 104:16,17 104:20 105:3,17 106:18,21 107:3 204:17 223:18	categorically 169:17		
career	211:24	categories 54:20 54:21		
careful	32:7	cause 230:14		
carefully	80:16 81:2	caused 124:12 180:13		
carjacking	13:19 14:6 72:13 155:10	center 10:4		
		121:14 122:3,4,9 123:4,5,7 124:19 124:23 126:2 133:4 142:15 148:25 150:11 150:18 156:20 158:7,19,20,20 171:2 186:8,15		
		central 74:2,5 certain 106:6 156:14 180:7 certainly 85:17		
		139:19 156:16 182:20 211:11		

[children - component]

Page 9

children 1:5 66:24	close 34:5 96:12 103:14	coming 54:1,2 182:11 216:25	compared 48:18 184:10
choice 12:20 155:21	closed 80:4 143:16	commission 229:18 230:22	comparison 101:7 223:13
choosing 176:7 176:11	closing 95:9	committed 51:20 120:13 181:6	complaint 40:20 107:11
chronological 167:15	cloth 29:22 118:19	committee 12:5 12:7	completed 64:17 64:22
circumstances 10:6 72:1 98:4 159:12 178:6 223:9,17	clues 95:17 codes 54:15,15 54:18,19,19,23 111:12,13,14	common 44:1 120:9,10 181:9 181:10,17 202:5	completely 129:14 181:11 198:15
cite 71:1 99:20 120:15 126:25	coincided 147:20	commons 133:7 133:8	completing 69:16
cited 58:10 112:24	coincidence 182:17	communications 209:25	complex 36:14
city 79:23 156:19 226:5,20 226:25 227:3	collaboration 12:23	community 39:15,17 215:7 215:12	37:1 38:4,10,20 116:10 118:9,13 123:19 126:5
claimed 150:19	collect 125:24	comp 226:15	128:12 187:8,25
clampetts 45:19	205:3,15 206:9	companies 81:19	190:18 195:7,18
class 23:11 24:8 106:19,20	collecting 205:25 206:2	88:6 129:20	202:17 205:9 219:13 226:21
classification 172:17	collection 109:8	company 41:9 87:19 115:25	complexes 126:11,24
clear 12:25 53:6 80:18 118:14 119:12 120:4 164:19	columbia 133:8	116:25	127:11,15,20
clearly 154:22 207:12	come 25:6 35:8 36:16 37:6 46:9 59:13 68:8 86:7	comparable 126:8,10	128:6 130:3,12 131:5,7,19 132:7
clerks 107:2	89:5 103:23	comparative 130:15	134:4 135:20
client 61:15,15 61:18,19	106:23,24	comparator 128:19 129:6	143:13,23
clients 74:4 82:12 83:11 84:25 95:24 136:4 212:23	112:11 114:12 118:5 123:5,6,6	130:18	177:11,20,25 178:1,2,10,11
	149:23 157:18	comparators 131:14 136:19	185:25 188:7,19 190:7 194:13
	comes 15:13 54:17 56:24	compare 111:21 112:3 145:22	214:15,20
	70:24 101:15 112:23 158:5	161:7 183:22	comply 158:10
	comfortable 185:21	219:4	component 144:14 153:23

[comprise - contributing]

Page 10

comprise	128:5	99:23 110:15	161:12 165:2,3	contain	25:1
compstat	101:19	127:5 137:10	166:23 172:19	contained	109:7
computer	69:13	143:7 149:17	175:6,12,24	contains	107:14
conceivable		conducted 33:23	212:25 213:15		183:1
	21:13 191:24	34:6 36:3,20	consideration	contending	128:3
concentrated	13:25	47:2 50:5	70:11 71:11	content	27:25,25
concentration	150:12,16	149:15 155:19	74:14 169:18		28:14 29:5,12
concept	99:12	210:25	considered 38:9		30:12 100:7,14
concepts	23:22	conducting	70:15 73:3		110:22 111:2,9
	90:20 111:15	29:18 37:3 39:3	75:17 114:7		189:16
	183:20 184:19	40:10 62:14	154:3 155:21	contention	208:17
conceptual	92:22	152:25 154:1	161:17 167:1	context	80:19
conceptually	92:10 125:8	conference 86:1	169:20,24 176:2		99:13 104:14
	171:16	88:11	209:11	contextualize	219:21
concerns	49:13	confidential	considering		contingencies
concluded	118:8	158:16,18	45:17 71:9		70:8
	227:19	confirm 21:16	consistent 7:5	continue	139:23
conclusion	29:2	39:2,9 42:16	17:21 98:9		139:23
	68:12 100:24	213:9	101:4 111:24	continued	14:16
	113:14 118:12	conflict 10:6,23	112:13 115:8,10	continuing	79:16
	129:24 150:24	16:24	115:22 176:21		90:15 152:15
	184:15	conflicts 16:21	183:4,13 184:2,6	continuous	
conclusive	180:3	166:7	184:21		143:23 144:7
conditions	38:4	conform 201:10	conspiracy		145:19 174:22
	41:15,19 42:2	conglomerate	196:11,15,16		174:25
	43:1,9 48:16,24	81:17 83:20	consult 82:12	contract	9:25
	53:10 76:4	86:10	consultant 47:8		12:11
	77:12 78:10,17	connected 18:1	83:23 87:22	contractors	
	80:2 109:23	consent 15:25	105:13		109:22
	110:16 129:7	consider 38:3	consultation		contradicted
	155:20	42:25 44:24	89:6		78:1
conduct	33:22	51:14 52:2	consultations	contrary	203:3,5
	39:24 72:6	55:24 56:7	69:8 84:8,19	contributing	
	73:16 76:11	59:15 67:16	consulting 83:11		154:4
		71:14 72:19	consumers 223:5		
		74:13,17 81:2	contacting 16:22		
		85:13,17 86:22	contacts 86:4,4		
		124:17 152:5,21			

[control - courts]

Page 11

control 131:3 215:9 216:13 219:3,8 226:2,18	corner 55:3 corporate 210:8 corporation 87:11 correct 11:6,7 21:5 25:17 27:4 33:21 57:23 64:1,5,7,24 65:1 67:4,6 90:11 108:12,16 110:18,24 114:13 115:3 116:22 126:19	cost 206:24 costs 206:12 council 89:10,17 89:21,23 counsel 18:2,25 19:12 26:19,21 26:25 27:10 32:1,4 47:5 60:3 85:4 86:6 88:2 123:6 230:13 count 69:6 165:17,21 counted 217:22 countries 13:5 country 6:10,12 7:9 101:19 102:17 103:14 151:9 162:12 165:25 county 186:9 229:9,17 230:2 couple 12:21 186:20 187:15 190:1,8,15 194:18 201:10 202:15 204:19 221:17 correctly 42:12 42:13 63:21 138:13 154:25 correlation 166:18,19 179:3 31:25 32:4 48:20 113:18 corroborated 77:20 176:14,15 corroborating 211:19	courtroom 17:15 courts 33:19 34:8 35:7,14 36:8 39:4 40:2 41:16,19 42:2 43:9 48:16,24 51:11 53:10,22 62:19 65:7,21 70:12 71:10,12 71:15 72:8,22,24 73:13,15 74:18 74:20 75:6,8 76:23 77:3 78:10,14,17 79:15,24 80:2,23 92:3 93:17,22 94:21 95:10,13 96:23 97:7 104:3 109:14,23 114:8,23 115:3,6 115:15,24 116:1 116:2 117:1,2,13 125:23 126:19 126:25 127:14 127:19,21 128:15,22 129:4 129:12 130:6,10 130:13,18,23 131:3 135:24 136:24 140:18 140:24 146:3 148:1,4,8,9 149:5,16 152:7 152:22 156:21 157:14 166:24 168:14,21 170:23 171:18 172:22 173:10
--	---	--	--

[courts - criminology]

Page 12

173:24 174:8,13	60:5,9,10 71:4	155:20,23 156:1	223:6 224:2,4,19
174:19 176:1	76:3 77:12	156:6,7,13,14,18	224:20 225:8
180:22 183:3,12	78:10,16 80:1	156:21 157:14	226:11 227:6
183:23 184:12	81:13,14,14,25	162:10,23 163:8	crimes 11:23
185:22 190:14	82:9,9,22 83:2,9	163:14,23 164:2	13:23 137:2
192:9 199:2	84:9,9,10 86:2	164:4 165:1	146:20,21 154:3
202:19 204:25	88:17 90:16	167:5 169:10,15	161:11,12,17,18
209:9 210:9	93:6,21,21,22	169:17,25	161:19 162:5,8
211:2,15 212:2,3	94:23 96:23	170:17 171:1,3,5	162:13,14,18,19
212:13	97:6 98:10	171:17 172:18	162:22 163:6
cover 14:21	100:1,8,15 101:5	174:21 175:4	164:17,20,24,25
30:18 37:23	101:6,6,11,12,16	176:2 177:2,4,6	165:16 166:24
covered 134:11	101:20 102:5,11	177:7,10 178:21	167:1,2,17,18
134:15 135:14	102:18 103:3	179:23 180:5,7,8	172:12 181:6
140:16 142:8	106:22 109:23	180:11,13 181:2	194:12 227:1,5
cpted 83:1	110:12,16	181:15 182:1,20	criminal 7:2
183:10,21 184:5	111:24 112:1,1	183:5,6,6,8,11	36:1,3,18,20
184:15,19,21	112:20,22,22,25	183:14,24 184:9	37:4,16 38:5,23
create 23:3,8,10	113:4 114:8,11	185:14 187:19	39:3 49:3,24
23:22 40:14	115:11 116:1,7	188:18 190:4,5	50:4 56:12 58:9
44:6	116:14 117:2	190:21,22 191:1	95:22 104:24
created 29:17,21	119:23 120:13	191:5,6,14,14,16	126:2 208:18
29:25 44:18	120:20,21 121:2	191:23 192:1,7,9	209:8 211:24
84:24 96:24	121:7 122:16	192:18,20	222:6
credibility 49:9	124:12,17,20,21	193:10 199:2,3	criminality
credulity 182:18	125:17,22 126:5	200:8,13 204:1	11:25 69:22
creek 1:24	128:19 129:7	205:4,10,16,25	70:2
crime 6:7,12,13	133:1 135:22	206:4,9,12,20	criminological
6:14,15 8:7,15	136:8 137:19,25	207:1 209:16	101:4 141:7
8:16 11:25 12:1	138:17 140:9,10	210:4,9,13,23	criminologist
12:3 13:5,10,13	140:21 146:10	211:2,14 214:17	9:1 85:12,14
13:15,16,17,23	146:15,25	214:20 215:2,7	99:25 116:6,14
13:23 30:11	147:11,13,14,24	215:10,12,19,24	182:17 206:11
35:1,5,7 36:7	149:15 150:1,2	216:12 217:12	criminologists
39:8,11 48:6,13	150:13,16 151:3	217:17 218:6,21	58:5 165:25
51:11,14,20 53:3	151:14,16 152:6	219:4 220:2,3,4	criminology
53:10,13,15 55:2	152:12,22 153:3	220:7,8,15	5:22,24 6:3,25
57:17 58:20	153:17 155:5,6	221:20 222:1,20	7:7,9 17:14

[criminology - defendant]

Page 13

56:19 57:2 58:7 58:8 68:7 72:4 95:16 98:11 99:7,11,20 104:24 111:25 112:8,14 124:6 151:10 166:1 criteria 125:4 169:13 criterion 95:15 crosstimbers 187:23 188:1,6 201:16 214:24 csr 230:21 cues 96:2 cure 221:5,6,7 curious 64:21 currently 13:3 custom 131:4,19 131:21 132:6,9 132:12,17 133:14 134:7,9 134:18,21,25 135:3,8 136:23 137:17 138:15 138:18 140:8,11 140:17 141:1 customarily 121:21,22 122:16 customary 121:5 121:6 customs 106:4,5 106:8 127:6 128:1,4,8 129:13 129:17 133:25 137:23	cut 215:23,23 216:10 217:10 217:11 cutoff 146:14 148:10 cv 1:8 5:14 7:13 7:21 25:24	153:3,17 155:8,9 161:3 163:25 171:8,10 173:19 173:19 174:16 174:18 177:21 177:22 181:5,19 181:20 185:20 d d 3:1 4:1 83:1 104:7 daily 48:2 50:20 dallas 6:4 9:23 10:11,25 22:6 23:4,9 61:13 89:12 230:2 damaged 176:10 dangerous 180:22 195:18 dark 206:6 dash 167:16 data 8:20 28:9 50:8,14 51:5 54:20 58:20 59:14 60:6,10 76:19 100:17 101:2,3 110:17 111:22 112:3,6,7 112:10,10,12,12 113:13,19,21 115:8,9 116:7,14 120:24,25 121:7 121:9,24 122:16 124:4 125:17,24 126:5 133:1 136:9 138:17 140:21 149:15 150:1,2 152:6,17	deadly 169:9,14 170:16 deal 226:3 dealer 113:25 208:17 dealers 70:6 74:4 dealing 40:6,11 70:4 71:6 73:9 78:20 80:24 160:17 dean 10:17 dear 65:20 debate 208:23 209:13 decades 14:17 december 147:6 147:7,10 193:15 decide 129:21 191:20 192:2 decided 49:23 decision 12:19 decrease 155:4 155:21 decreased 155:6 dedicated 91:21 92:17 102:12 106:1 118:16,22 119:13 132:11 days 9:8,16,21 31:24 32:10 96:23 102:13 125:17 daytime 170:15 de 206:24 deadline 64:13 64:20
--	--	--	--

[defendant - description]

Page 14

166:8 217:3	21:21,25 22:5,9	depends 20:18 37:21 53:3 69:6 70:3,4,5,7 85:24 106:19 117:6,7,8 122:2,21,22 123:7 125:4 136:14 137:1,3,4 154:6 156:7 161:1 206:14 182:14 151:11,21 192:22 202:11 154:14 178:15 198:23 199:12 199:13 6:3 7:9 8:21 10:16 12:7 60:2,6 78:13 79:22,24 80:23 89:24 102:8 108:21 110:14,18 120:25 165:23 191:20 205:5,11 206:13 210:24 departments 8:7 8:19 101:18 102:16 151:8 162:11 206:18 depend 53:17 76:7 122:8 162:25 179:7 221:24,25 depended 225:8 depending 58:15 220:21	158:8,10 176:16 176:22 189:15 202:8 205:25 209:19 227:19 228:1 230:5,8,11 depositions 4:25 25:21 28:10 31:23 39:24 41:4,21 46:11 47:25 66:14 67:7,13 107:23 107:24 108:2 109:3 110:1 111:3,5 113:17 125:18 derive 57:25 98:19 99:4 describe 8:24 12:15 27:20 29:12 43:25 58:19 81:11,16 83:16 89:9 107:9 110:22 141:20 145:21 181:22 183:7 described 29:4,5 30:7,15 72:5 88:14 92:13 100:5 101:17 105:11 126:14 137:11 184:1 describes 26:2 102:2 describing 85:22 86:15 description 65:10 86:21,24
-------------	-----------------	--	---

[design - displace]

Page 15

design 101:7 112:2 183:11,15 183:25 184:10	determining 113:20 151:21	99:1 129:14 132:25 141:14	disagreed 48:25
designation 190:16	deterring 54:3,6	150:5 151:18	discard 25:4 202:2
designing 222:20	deterrance 81:15 144:15 217:23 223:10	158:22 159:16 161:9 164:15,17 166:13 168:17	discarded 19:1 discern 119:17 121:20
designs 12:23	deterrant 144:15	173:8,21 179:12	discernible 162:1
desk 146:7	deterrants 6:15 12:20 84:9	185:9,11 203:23 209:10 216:17	discharge 165:4
desperate 54:8	detour 6:22	226:20	discipline 17:23
despite 96:5 208:7 218:8,21 219:22	193:8 201:3	differentiate 179:25 181:25	disclose 149:20 158:17
detail 27:15 28:15 30:21 63:1 69:20 92:22 100:22 119:16	develop 24:11 111:12 215:6,7 215:12	26:23 83:7 184:24	disclosed 64:12 discovery 28:10 37:6,8,11 40:21
detect 215:2	developed 32:15 111:22	differs 93:5	41:4,11 42:5,15
detecting 199:19 199:21	developing 89:13,22	difficult 226:9 227:9	42:18,23 43:5,21 48:21 66:5 67:9
deter 53:14,18 53:21 131:22 132:13,18 134:1 134:18 135:9,13 140:9,20 151:15 155:23 171:5 178:6 185:13 224:19	development 81:19 88:6	dig 116:10	67:21 80:4 81:7
determination 100:11	dialogue 83:18 84:20	digital 15:24	107:12,22
determine 16:19 72:7 75:24 88:19,20 101:23 120:18 152:6 163:7	diaz 1:4 4:15,19 4:22 11:14 26:9 66:23 91:1 92:4 93:6 94:6,17,18 97:8,10 103:18 175:8,13 176:8 188:16 209:25 213:9,13,21	dilemma 125:7	111:23 112:11 114:4,15 123:7 213:11,17 214:1 214:2
determined 101:2 146:2	dictates 103:11	dimension 195:24	discuss 35:6 106:25 179:14
	difference 190:20 191:4	dimensions 184:5,17	discussed 35:4 86:15 141:4
	different 13:4,6 22:19 27:5 28:17 72:17	diminution 154:21	discussion 35:10
	73:6 84:5 85:18 93:9,11 97:20	direct 24:4	discussions 83:15 85:3 91:9
		directed 45:5	disease 221:6,7,9
		directionally 149:8	disentangle 180:12
		directly 65:18 101:16	dispense 4:9
		disadvantage 13:25	dispersed 10:9
		disagree 38:19 173:1 199:14	displace 124:12

[displacement - earlier]

Page 16

displacement	41:8,18,23,25	door	104:12
218:15 219:19	44:17 67:16		182:14 216:18
dispute	69:7 84:24		216:23
113:23 114:1	148:22 212:15	doors	44:1
188:24	213:25 214:7	double	154:18
disregard	doe 25:8	doubt	160:15
201:16,20 203:1	dogwood 133:9	downgraded	75:16,20,24 76:6
203:18 204:3,25	doing 10:22		76:8,22 77:4,6
205:11 206:6	15:22 16:8 23:2	download	78:7,9,15,16,20
207:2	45:17 48:10	dr	79:25 80:24
distance	49:11 61:11		113:25 166:24
distinction	79:14 85:17		195:11 208:17
97:21	106:11 115:23	drugs	12:1 13:19
162:9 165:23	116:7 119:16		70:20 71:2 73:9
166:1,2 220:8	128:15,16 129:9	drunk	74:11,13 195:12
distinguish	130:14 131:23		54:8
162:5	131:24 133:18	dual	10:20
distortion	133:18 135:25	duke	5:18
170:11 212:15	136:1 137:13,15	duly	4:3
distribution	142:16 145:17	dumb	217:18
69:23 70:1	151:25 153:12	duration	52:9
district	159:17 160:19		55:14 149:11
1:1,2	165:2 166:21,22		152:2 160:23
186:9	173:2 185:2	duties	81:13
division	187:13 188:21		122:2 144:23
1:3	188:22 195:25	duty	116:9
dnt	200:12 212:14		144:19
186:9	218:19 221:8	e	
doctor	dollars 83:22	e	2:1,1 3:1 4:1,1
79:17	87:1		83:1 225:12,12
document	domain 28:1,1		225:16,16
18:17	29:6 30:12	e.m.f.	1:5
22:21 23:7 31:1	54:17 100:8,15	earlier	14:25
31:15 83:17	domestic 156:15		19:5 72:5 88:1
84:21 85:2,5,17	165:12,15,24		92:12 100:5
107:14	166:3,15		101:17 113:24
documentation	dominant 14:14		130:2 161:22
37:3 39:2,9,16			166:22 193:18
39:21 46:23			
47:10,21 48:4			
87:5			
documents			
26:15 27:22			
28:9,25 33:7			

[earlier - essentially]

Page 17

193:19 202:21 205:24 220:17 early 64:10 158:7 earth 141:25 east 2:4 easy 227:11 eat 145:5 echoing 71:3 edification 67:12 editorialization 79:10 educate 218:5,16 educating 84:9 221:8 education 90:15 edwin 1:4 effect 88:24,25 136:22 177:16 180:16,17 215:10 216:1 221:19 224:2 effective 134:8 141:9 222:2 223:7 eight 126:18,23 127:15,20 128:19 130:23 131:7 133:9 134:4 135:19,25 136:5,9 137:14 140:18,24 142:13 143:23 either 18:4 32:16 44:11 46:19 47:11 50:9 64:10 79:19 109:5 121:2	144:19 167:3 214:1 219:6 elaboration 189:19 electronic 19:2 33:15 142:2 electronically 15:24 142:7 elr 1:8 elsa 1:4 email 20:3,11,21 20:21 21:17,20 21:21 23:13 25:11,16 26:20 26:25 27:1,9 59:22 158:12 159:21 160:1,7 206:20 emailed 18:4 emails 20:16 21:25 22:3,5,6 24:25 25:8 41:14,18 42:1,25 47:24 48:19 63:21 113:17 159:1 embedded 7:23 67:13 183:21 184:15 213:25 emergency 89:25 emerging 152:14 emphatically 198:21 empirical 82:1 82:23 empirically 162:14 200:14	employ 86:22 employee 49:14 77:21 employees 108:23 109:21 employment 7:15,18 10:21 enclosed 127:24 130:4 enclosures 132:10 133:19 encompassed 89:20 encourages 17:16 ended 14:20 endorse 11:8,11 enforcement 7:15,23 8:1,14 49:15 77:23 148:3 151:11 218:9,25 219:23 220:20 224:3,7 225:22 enforcing 39:10 engage 83:22 engagement 17:1 engagements 85:7 87:21 engaging 89:2 english 5:15 98:24 enhances 17:16 entire 12:10 152:8 156:19 entirely 49:17 115:10 137:9	entirety 5:8 211:4 entities 81:16 85:25 106:11 environmental 89:25 101:7 112:2 183:6,11 183:14,24 184:9 episode 163:21 163:22 164:8,11 episodic 185:5 equal 181:19 equivalent 202:23 equivocal 177:14 erik 66:22 errata 24:20 25:11,20 errors 25:17,19 25:19 escalate 163:10 163:13,24 164:12,14 176:4 escalated 73:4 93:21 166:25 167:3 escalation 73:10 112:22 especially 85:10 110:11 216:23 essentially 5:9 49:16 54:19 89:18 101:20 102:2 126:3 143:3 144:16 147:11 149:4 151:2 218:12
---	---	---	--

[establish - expires]

Page 18

establish 113:14 202:5 211:24	evidence 29:1 35:15,17,23 40:9	114:19 118:15 118:24 120:8	exist 42:22 209:20
established 29:23 78:25 139:1 183:5	40:13,14,24 41:1 43:16 44:3,7 66:5,12 67:9	132:10 135:19 137:11 152:14 154:8 177:19	existed 46:20 74:21
establishing 81:25 82:22 83:8	71:15 72:20,21 72:23 73:17 76:12 77:15	218:8 223:14 225:25	existence 166:14 existing 92:3
estimate 9:7 16:11 18:9 69:14 92:25	78:3,23 79:1,19 80:14,22 81:1 94:24 95:21,25	examples 54:10 excellent 178:14	expand 124:8 195:5
et 170:2	96:6 111:1	exchange 200:24	expect 47:8 105:3 133:10
etiology 11:25	177:1,9 178:9,16	exclude 200:9	136:5 151:14
evaluate 70:9 92:7 99:23 122:13 123:9 125:9,22 129:5 137:16,19 162:23 192:21 193:10 198:13	197:10 199:17 201:15 202:1 208:25 210:7 211:1 214:19 215:11	exclusively 4:21 4:22	expected 103:2 experience 47:7 69:25 94:7
evaluated 163:6	ex 77:22	excuse 46:3 60:9 65:25,25 107:5	133:16 148:2 182:16
evaluating 38:3 38:9,20 72:19 89:22 124:7 191:5,6	exactly 29:24	176:25 194:9 201:12 224:17	experienced 93:6 156:21
evaluation 136:23	75:12 120:16	exercise 101:8 143:8 196:25	187:9
evenings 104:4	151:8,9 154:24 198:2 200:11	exercises 144:10	experimental 58:8 219:7
events 49:24 176:8,12	210:19 217:17 218:18	exhibit 3:6,7,8,9 3:10 31:12,16	expert 3:9 10:5,8 10:9,13,18 11:9
everybody 21:3 63:10 113:25 130:14 133:18 133:18 222:18	examination 3:3 4:4	32:22,24 33:5,12 33:15 41:24	11:14 17:18
evicted 40:2	examine 75:4	43:25 55:7,19,20	18:18,22 19:18
evicting 39:22	120:20	56:1 60:17	25:23 38:17
eviction 39:20 40:1	examines 99:12	63:14,17 108:9	63:13 73:25
	example 30:11	109:10,20	78:5 87:22 99:2
	41:13 51:19	145:10 186:6,12	116:20 141:5
	54:7 84:15	201:2 217:20	181:18 186:15
	86:18 91:20	exhibiting 206:6	194:7 195:16
	95:21 101:11	exhibits 3:5 41:5 41:20 50:13	218:18
	102:12 105:23	67:13 109:3,25	expert's 67:11
	106:25 107:2,4	110:1 111:4	expertise 218:18
	112:5 113:15	125:18 203:18	experts 10:2 17:22 102:17
		207:2	expires 229:18 230:22

[explain - filled]

Page 19

explain 56:17 57:24 68:13 92:10 93:10 125:13 132:1 165:14 201:18 207:23 218:24 219:17,21 222:18 explanations 219:17 explanatory 106:10 explicit 35:9 71:9 explores 13:5 express 65:13 extend 86:6 extensive 7:25 extent 19:6 20:6 50:8 73:4 75:20 84:12 86:16 88:22,23,24,25 91:20 93:20,21 95:17 100:16 111:23 112:6 113:20 119:6 121:1 123:13 126:10 141:8 144:18,23 148:8 151:10 152:13 159:24 167:2 221:6 exterior 142:12 external 120:14 137:3 181:7 extra 20:24 eye 148:20	eyes 52:17 f face 31:15 48:17 213:1 facets 99:1 facilities 90:1 facing 98:3 fact 37:3 39:2 40:10 42:17 44:10 46:20 47:3 50:3 74:21 78:23 80:17 103:3 113:15 126:6 128:4 148:9 149:17 156:3 163:10 177:12,24 190:3 200:5 202:7 205:14 216:15 218:17 221:25 222:16 factor 49:6 113:12 167:6 225:2 factored 209:12 facts 16:23 66:5 77:15 187:3 215:18 factual 49:10 113:23 114:1 faculty 6:5 17:17 failed 205:3,15 208:1 209:15 210:5,22 211:22 213:4 214:14 215:6	failing 207:1 failure 201:13 203:2 failures 207:14 fair 4:11 33:20 70:13 82:14 89:14 94:3,4 96:25 121:25 130:21 163:4 165:19 fairly 7:6 85:7 85:22 fairs 7:3 fake 155:12 fall 11:24 30:12 false 146:18 falsify 113:11 family 4:15,17 66:17 91:1 92:5 93:6 94:6,18 97:8,10 175:8,14 182:11 209:25 213:9,21 family's 103:18 176:9 213:14 far 21:2 43:3 68:12 130:17 181:24 fast 81:18 87:10 87:16 127:10 fbi 169:11 fear 223:7 featured 14:20 211:18 212:24 feb 46:22 february 50:17 federal 56:21 79:14 150:23 189:17	feel 139:2 171:25 feels 139:10 fell 130:7,8 felonies 36:24 210:16 felt 185:21 fence 180:24,24 181:13 fenced 181:12 fences 128:13 130:4 133:11,20 178:3 220:3,14 fencing 84:11 113:4 135:1 177:2,10 221:20 222:11,22 ferry 2:4 field 7:25 8:3,10 12:18 56:10 68:6 72:3 99:17 112:4 fields 10:3 17:22 figured 175:21 file 5:8 16:25 19:1,13 25:4,5,7 41:6 43:22 45:23 47:1,5 65:15 67:22 77:21 107:18,19 108:24 109:2,8 110:2 111:7,10 125:19 146:6 211:18 212:24 213:8,9,14,21 223:25 files 167:14 filled 15:24
---	--	--	--

[final - form]

Page 20

final 19:24 21:8 21:18 22:14 26:24 159:8,13	183:10 198:22 201:22 214:1 223:7	followed 29:9 following 87:15 87:19 88:2 189:17 194:11	199:9,9 foreseeable 91:1 93:7,12 162:24 190:22 191:7,13
finalized 22:18 66:25	five 7:8,10 62:10 63:9 125:14	follows 4:3 230:11	191:25 201:14
finalizing 67:8 67:18	137:21 138:6 141:14 194:2,19	fontaine 44:9 46:6 49:14	foreseen 166:4 forgery 167:21
financially 230:15	209:14	50:18 51:3 77:22 176:14	form 10:21 15:25 29:20
find 69:25 130:12 226:15	fix 201:24 202:9 203:25	food 81:18 87:10 87:16 127:10	35:19 37:20 40:25 42:3,8,19
finding 136:12 146:19	91:21 102:12 106:1 118:23 119:7	foot 128:13 130:4	43:11 45:1 46:13 47:13
findings 47:12 82:18 112:14 218:23 219:21	127:23 148:14 172:25 190:17 204:7	footnote 106:4 127:1	49:25 50:6 52:15 53:11,16 53:23 65:12
fine 193:6 198:10	fixing 202:1 flag 153:13	forecast 151:24 162:14,19 163:8	72:25 74:1,11 75:9 77:7,14
finish 19:17 54:12 153:1 165:8 199:7	fliers 52:1,7 flight 61:11,12 62:1,3	foregoing 230:5 forensic 95:16 99:7,11,20	80:21 81:4 84:4 85:21 91:2 92:11 93:8
firearm 165:4	flip 168:8	165:24 166:1	94:10 97:1
-fired 172:7 202:11 204:15 208:6	flores 1:4 focus 12:16 13:14 16:9 35:9	178:14 forensically 156:2	99:22 103:20 114:24 115:17 122:18 123:2
firing 204:21 217:15	91:10 123:18 177:18 223:24	foreseeability 6:13 56:25	125:12 132:2,15 132:20 134:3,10
firm 2:3 230:22	focused 11:21	90:11,16,18,19	134:20 138:18
first 4:3 8:17 14:3,9 16:21 18:1 33:6,9 36:1 65:19 68:3 70:19 71:10 94:25 107:12 127:4 133:16,21 141:24 143:25 149:19 159:17 160:17 167:21	70:16,16 92:16 93:19 focuses 12:19 69:22 71:23 91:5 96:11 focusing 13:9 folder 223:22 folks 106:11 follow 28:20 29:1,18 30:3	90:20 91:3,8 93:23 94:2 121:14 122:4 137:13 149:21 150:3,5 151:19 151:22 163:1 188:21,25 190:11 191:15 195:24 196:4 197:6 198:22	157:20 158:13 171:6 173:11 175:9 176:13 181:4,16 184:13 185:23 189:4,11 190:9 192:3,13 192:24 195:19 196:8 203:11 204:10 205:1 211:16

[formal - give]

Page 21

formal 7:14,16 7:17 10:15,19 73:16 84:21 85:2,16 114:22 115:3,5,7,8,12 115:15 116:1 117:2,9 202:22 formally 183:22 format 84:8,8 former 33:19 49:14 57:1 58:6 58:7,8,9 77:21 forming 55:24 59:6,15 60:6,11 71:17 72:20 105:12 175:5,11 175:25 forms 47:16 70:2 73:10 111:1 180:7 fort 230:24 forth 1:25 6:15 48:1,1 52:1 69:9 76:10 90:1 101:23 fortune 87:10 forum 200:24 found 101:17 135:18 136:9,18 195:7 foundational 221:16 four 9:16,21 16:10 30:14,18 62:17 79:13 84:23 125:14 136:6 137:21 141:14 143:13	159:4 209:13 227:5 fourth 43:20 103:1 fraction 15:12 61:22 frame 99:5 117:3 152:2 framework 82:10 frankly 86:4 109:9 141:16 free 21:4 39:8,11 71:4 205:7,24 206:4 210:25 frequency 152:12 153:4 frequent 119:7 fresh 161:22 front 8:14 26:1,5 38:14 63:15 full 9:22,25 137:13 fully 127:24 function 52:12 149:11 functional 6:14 112:25 115:13 217:23 218:5 functionally 202:23 fundamentally 66:19 67:2 funding 10:7 funneling 10:14 further 38:22 126:21 230:13	future 163:14 199:3 g g 4:1 104:5 gaa 39:19,25 gang 8:3 gap 64:21 gas 127:9 gate 143:14,14 143:15 180:24 180:25 201:23 202:1,8,12,14 203:3,16,17,20 203:24 204:1,4,7 217:17 gated 177:20,25 178:10 181:12 181:13 204:12 gatehouse 127:23 135:20 gatehouses 128:13 130:3 132:10 133:11 133:19 135:6 gates 127:22 132:10 133:11 134:25 135:6 178:3 218:9 220:14 222:23 gating 84:11 113:4 134:12 141:5 177:2,9 220:3 222:11 general 29:14 30:22 37:15 45:3 70:24 87:24 88:2	90:19 101:1 106:7 177:3,4 180:11 190:25 generalist 36:11 generally 98:9 166:16,17 215:16,19,23 216:2,3 217:11 224:4 generate 32:12 209:15 generated 31:24 32:9 34:23 108:22 109:17 generating 124:4 genuine 226:7 genuinely 197:5 geographic 126:12 150:17 219:1,12 226:21 geographically 150:13 georgia 1:2 2:5 2:10 39:12 116:10,19,21 getting 141:16 147:20 184:14 196:19,20 198:2 208:20 214:17 gist 46:14,15 89:11 221:22 give 13:2 15:12 22:23 32:17 38:1 42:15 64:20 83:23 84:16 86:20 118:24 137:8 139:4,16,17
---	--	---	--

[give - handout]

Page 22

170:3 181:10	207:20 213:20	gotten 85:24	guess 4:13 6:16
186:3 188:25	214:5 217:20	205:23 210:14	11:1 16:4 17:20
190:11,13 196:4	goes 20:19 21:20	govern 10:4	32:3 54:24 61:1
198:14 212:17	195:14 222:19	grab 33:1	83:6 116:5,10
given 42:17 53:9	going 8:11 16:3	graduate 12:4	142:13 172:7
71:22 96:3	17:7 23:23 24:4	grant 204:20	175:21 177:22
105:22 128:23	25:22 31:11,11	great 31:18	182:20 184:11
185:15,16,19	32:6,21 33:14	130:20 223:15	192:4 194:1
214:9 230:9,16	40:4,17 61:16	226:3	215:4
gives 153:23	63:12 68:11	grocery 14:8,13	guessing 16:3
giving 15:11	69:14 70:18	groff 225:7,10	guests 137:4
86:23 98:13	72:8 73:7 80:3	225:18	guide 32:13
100:20 149:21	90:3 93:23	gross 201:15	guideline 36:25
150:3 198:21	94:25 116:18	ground 4:9	56:11,12,21
201:7	118:4 135:17	46:16 62:14	guidelines 37:7
global 186:9	136:16 139:9	202:5 211:10	37:10,14,16,18
gmail 20:23,25	140:10 141:15	grounds 39:25	37:22 38:2,8,11
21:4,7 26:14	145:12 152:22	79:14,15 189:19	38:14,18 101:5
27:8	158:17,22	202:18	105:20,21
go 18:21 19:20	167:19,22 181:2	group 13:22	gun 8:3 102:5,10
20:15 21:6,16	182:23 186:5	88:13 219:7,8	146:10,15,20,25
22:13 23:14	189:3 193:24	226:2	147:9 194:12
24:6,25 25:11	197:11,20	guard 7:19	195:11,12
26:4,5,14 27:1,8	199:10 205:17	81:13 83:3	guy 175:21
28:15 30:5,21	207:15 214:4	88:15,16,16,18	182:10
31:10 32:21	216:9,11 217:20	92:17 103:11,17	guys 40:15
35:20 41:2	227:17	104:3,12 117:21	h
42:11 63:2	gold 219:3	117:24,25 118:7	h 14:7
69:19 73:19	good 4:6 38:25	118:8,12,18	h.m.f. 1:6
77:16 86:9	61:17 63:19	119:1 135:1	hair 212:6
92:21 95:7	116:15 134:8	155:3 172:11	half 60:23 62:2,4
106:13 138:4,17	161:21,22	179:6,12 180:15	193:18,19
147:2,22 148:2	174:15 180:23	guards 84:12	226:22
158:11,14,22	200:24 206:9	86:3 128:12	hand 55:3
159:7 181:24	220:14 223:6	130:3,21 133:11	230:16
182:23 184:5	226:14	144:2 220:1,2,13	handout 23:6
187:20 201:1,18	google 20:24	221:19 222:22	
203:21 207:20	21:3 141:25	223:24 224:1	

[handwritten - hundred]

Page 23

handwritten 3:7 24:15 32:12,15 32:22 34:20 55:22	heard 149:23 190:2 201:3 hearing 75:3 76:17 96:21 165:15 help 22:24 120:18 138:12 149:13 214:17 218:7,23 223:2 helpful 5:16 helps 188:15 218:20 hereinafter 1:25 hey 8:23 hickey 44:9 46:11 49:16 51:2 77:22 147:15,21 148:2 148:7 149:4,8 153:12 155:2,6 155:12 173:2 176:16 185:2 204:21 211:4,9 211:14 hickey's 51:24 52:3 53:7 148:5 148:25 156:5 185:8 hide 212:6 hierarchy 70:4 high 6:23 13:25 54:7 higher 46:19 224:7,11 225:8 highest 202:6 highly 58:5	hipaa 160:15,16 hire 84:14 148:2 hired 85:15 154:10,13 hiring 147:20,21 204:21 historical 150:1 history 5:19 hit 165:4 hitting 175:18 175:20 176:23 hold 9:22 67:25 104:9 193:23 199:6,10 203:22 holding 68:14 holt 44:9 46:11 49:4,10,17 50:24 77:20 113:24 147:3,16,21,22 147:22 148:1 150:19 154:10 155:5,9 211:4,8 211:14 holt's 146:16 151:1 211:21 home 182:7 222:14 hometown 5:21 homicide 14:6 87:16 honor 13:10 hope 86:7 89:6 horrible 209:7 hospital 172:8 hot 8:15 88:20 88:21 101:11,13 101:15 102:7,17 104:4 112:19	120:5,6 150:4,6 150:10 151:7,13 151:20 152:2,6 154:20 157:2 160:20,23 161:13,15 162:24 165:3,18 165:20 166:23 167:7,19 169:18 170:14 172:5 190:16 218:25 219:5,5 220:20 224:6 226:17,20 hotel 57:18 81:17 83:21 86:25 hour 34:5 62:2,4 hourly 206:22 hours 48:9 60:24 60:25 61:3 62:10,17 69:14 96:10 209:14 216:19 230:11 house 62:4 135:1 housing 123:19 129:20 houston 188:4 205:5 210:24 hpd 211:23 hud 37:7,10,14 37:15,18,22 38:2 38:8,18 46:22,24 47:3,9,11 50:15 212:11 hugh 66:15,22 huh 107:8 hundred 57:8
--	--	--	--

[hundreds - information]

Page 24

hundreds 6:9,11 41:14 hypothetical 78:4 137:2	implemented 88:22 implementing 89:13,22 implications 79:18 implying 43:14 196:11 197:12 important 42:24 53:1,9 124:18 133:13 226:8 impose 10:11 imposed 122:11 122:12 imposing 17:23 improved 215:9 imprudence 218:14 219:18 inappropriate 140:6 inbox 20:19 21:21 24:25 incident 3:8 35:3 40:3 59:4,9 90:23 91:13 94:14 95:18,20 96:2,12,20 100:3 101:12 102:3,6 103:13 108:22 109:2,8,14,17 110:6,10 119:4 119:21 144:20 145:21,23,23 146:7 147:3,7 151:23 153:6 154:12,12 161:15 168:6 170:13,16,24	171:1,7,10,14,16 171:21 176:6 181:23 191:17 194:15 202:13 203:21 208:12 incidentally 67:19 209:19 incidents 73:8 119:7,18,22,23 120:1,3 143:4 144:25 166:5,5 193:12 include 73:24 81:17 135:3 165:10 213:21 214:17 included 61:11 includes 40:19 214:2 222:21 including 46:11 77:21 101:18 188:5 194:4 income 15:13 129:20 inconclusive 179:18 180:17 incorporate 56:18 incorrect 190:10 increase 156:6 156:14 increases 156:16 156:18 increasing 185:6 independent 13:7 independently 129:23	indicated 140:2 140:3 230:7 indicates 163:15 indicators 207:13 indicia 127:23 130:20 132:11 143:23 144:6,8 indifference 201:15,20 207:17,23 indifferent 207:11 individual 207:10 individuals 81:12 83:16,18 169:11 induction 28:3 29:7 54:22 100:6 111:18,19 112:9,17,20,23 113:2,5,7 inductive 29:13 industry 103:3 105:5,6 107:3 223:4 inflammatory 77:19 80:15 influence 78:9 192:11 inform 88:17 128:9 informal 85:23 215:9 information 43:8 111:1 120:8 133:23
---	---	--	---

[information - isolated]

Page 25

143:18,25	46:22,24 47:3,9	interfaced	intrinsic 166:7
171:13 192:8,19	47:19,22 50:16	117:17	invasion 182:8
192:21 209:22	inspectors 47:11	interior 120:9	222:14
211:20 222:1,3	instance 1:21	intermittent	invent 118:19
222:16	8:17 154:3	185:5	invented 29:22
informed 107:10	instances 35:7	internal 108:22	investigate
126:1 201:5	76:5,5 118:21	111:6 120:13	121:7
212:11	166:14	137:2 176:18	investigating
informs 128:16	institutions	181:7 209:16	investigation
inhibiting 141:9	104:21	internally 4:16	128:18
injury 120:3	instruct 139:9	109:17 110:13	invisible 223:10
165:5 169:9,15	139:19 205:18	internet 142:2	invitees 201:17
170:2,17 172:7	instructed	interpret 33:17	invoice 60:22,24
inoperative	142:10	219:24	61:7
204:23	instruction	interpretation	invoices 10:14
inquiry 91:15,16	139:17,18	70:13	60:18,20 61:2,6
93:9,11,16 100:4	205:22	interrogations	involve 119:22
122:8,22,24,25	insult 197:1	8:4	165:11,12 166:5
124:8,22 125:5,6	insults 196:24	interrogatories	166:5
128:21 129:15	intelligence	39:6,7	involved 49:3
130:6,15 132:25	222:4,6	interrogatory	50:3 70:5 72:12
136:3 141:12	intend 192:6	44:21 111:4	74:11 75:20
142:20 161:2	218:2	114:25	interview 33:8
163:1 191:9	intensely 219:1	33:18,23 34:4,6	76:8 77:3 78:7
inside 82:17	intensive 117:24	34:17,18,24	85:5 89:13
208:8 216:20	interaction	35:23 40:13	102:19 119:23
insofar 219:25	68:13	50:5 108:18	177:3
inspect 116:11	interactions	114:5,12,14	involvement
inspected 46:8	84:20 89:6	interviewed	16:17 77:5 78:8
62:20	interdiction 8:3	62:21	101:23 120:2
inspection 33:8	8:3	interviewing	involves 119:4
34:2 44:18,25	interest 10:23	117:11 123:13	170:1
45:22 46:13	interested 116:6	interviews 12:18	involving 169:8
62:22 65:16	230:15	intimately 166:6	187:8
108:17 114:5,15	interesting 13:12	intrigued 6:18	irrelevant 171:1
143:13	17:13	7:13	ish 193:19
inspections 44:2	interface 117:25		isolated 176:17
44:10,16,19 46:4			

[issue - know]

Page 26

issue	66:6 74:2,3 76:25 91:11 97:3,12 101:9,10 105:20 106:23 113:12,15,21 135:15 142:15 174:16 216:13	january	193:17 jeff 189:25 196:22 214:6 jeffrey 2:8 jeopardize 158:18 jmelcher 2:11 job 9:19 45:17 63:7 85:13 john 25:8 journal 12:6,8 58:4 judging 131:15 judicial 17:19 julie 32:7 july 53:7 56:3,3 64:13,16 91:23 94:8,22 96:24 97:7 104:4 143:18 146:4 147:23 149:1,9 152:23 153:19 154:15,22,22 155:22 172:22 173:4,10,25 174:8,14,19 175:1 184:25 185:14,22 192:8 192:10,12,19,20 192:23	jurisdiction 206:2 juror 78:3 133:17,21 jurors 219:10 jury 114:1 192:6 192:17 217:25 218:2 221:3 jury's 49:18 justice 7:2 58:10 104:24 165:23 justification 190:17 justified 100:2 101:13,25 105:23,24 118:15,22 119:7 119:13 152:16 153:20 161:9 173:20 174:16 175:3,6 191:11 191:13 200:14 justifies 215:20 justify 92:19 118:18 119:1 120:17 121:16 152:17 193:4	203:8 kenneth 49:15 kept 148:10 kick 208:16 kicking 208:19 kind 7:1 10:12 11:16 14:9,23 23:7,8 28:19 29:21 37:21 54:4,5,6 61:12 70:1 76:8 83:25 85:20 86:20 88:14,16,18 96:15,18 98:5 115:19 118:17 124:1,3,14 144:8 155:20 156:7 163:10 164:2,5 166:21 169:24 176:5 183:23 200:9 206:24 215:16 217:22 kinds 36:7,14 154:2 156:9,14 160:21,21 161:11,12 172:14 192:11 192:22 194:24
	j	jump 159:22 june 3:9 53:7 60:24 61:1,22 63:13 64:11,15 64:17,22,24 65:4 65:13 66:11,22 67:8,19 148:12 149:1,9	k 2:3 14:7 kathryn 186:8 keep 18:25 19:2 19:12,14 20:4 22:2,4 23:11,13 23:19,21 24:2,3 24:10 25:15 97:16 148:9 160:3 202:18	knew 95:18 know 6:6 7:2 8:10 10:22,22 11:13,15,16 14:12,15 16:10 16:15 17:10 19:5 20:6 21:2 23:7 24:9 26:20 30:9 32:3 33:1 42:22,23 43:14	

[know - life]

Page 27

45:4,18,18 46:9	178:8 182:2,20	lacks 169:25	leading 14:12
47:3 49:8 51:16	184:4,22 185:24	lady 216:20	94:14 102:3
52:9 54:1 55:12	187:20 189:11	landlord 96:3	153:6
55:23 59:21,25	191:22 196:16	166:8	lease 39:8,11,13
62:1,2,4,11,24	197:4 198:3	landowner	39:19,25,25 71:4
65:5 70:15	199:16,22	207:3	212:18
73:20 74:5	200:19 206:12	language 66:4	leases 212:19
75:23 79:19	206:15 207:16	67:23 98:24	leasing 34:7
80:9 81:6 83:1	208:14 209:13	216:25	44:11 104:7
84:15,23 85:12	211:10 212:4,5	laptop 31:3,4	142:24 208:7,9
85:16,25 86:7	212:12,12	145:6	208:11
88:4,15 92:8,16	213:19 214:3,8	larceny 162:7	leaving 194:23
92:17 95:24	215:17 216:12	large 57:17	lecture 23:10,18
96:19 98:2,17	217:2 221:5	largely 89:16	24:7,12,13
101:10,24 102:1	222:12,13 223:2	late 6:23 64:8,10	lectures 23:17
103:24 105:24	223:17 226:6,7	latoya 49:24	24:16
114:19 117:9	226:19	95:22	led 72:12 75:24
118:20,21	knowing 125:10	law 7:15,23 8:1	118:11 200:24
119:11 120:8,15	131:12	8:14 49:15	left 202:3 221:16
123:14 128:11	knowledge 37:15	77:23 116:19,21	legal 14:21 68:12
128:13,24,24	109:15 218:17	148:3 151:11	86:14 87:18
129:7 131:25	known 95:19	201:5,11 218:9	90:15 99:8
132:3,17 133:14	114:20 137:6	218:24 219:23	116:9 201:8
134:8 135:16	210:12	220:19 224:3,7	230:23
137:7,23,25	knows 166:9	225:22	legible 34:22
138:14 140:7,9	169:11 172:3	lawrence 57:5	lengthy 189:18
140:15,17,20	214:6	57:19	lens 195:5
141:1 143:15,17	I		lenz 66:17,23
143:18,19,20	I 1:22 6:19 33:10 180:17,17 225:12,16 230:3 230:21	lawsuit 131:9	level 12:1,2,3,4
144:22 145:23		lawyer 25:8,12	17:16 70:4
155:15,16		lawyers 21:9	92:22 115:12
158:15 159:7,25		42:15 43:10	155:21 226:6,7
160:13,16		61:15 79:1	226:25
164:22 166:6,15	label 27:19	122:25 160:7	levels 180:4
166:19 167:16	197:5,8	199:16,18	215:9
167:22 168:1	labeled 150:25	laying 79:15	liability 187:7
170:22 171:14	lack 211:20	lead 37:23	life 99:1
171:19 174:11	219:21	163:20	

[lifeblood - look]

Page 28

lifeblood 215:22 216:22 217:8	linked 54:21 73:22 75:7	27:17 28:21 29:19 38:17	loitering 156:9 long 7:12 16:9
light 130:14 143:10	76:15 167:3	47:8 67:17	20:17,22 21:14
lighting 37:24 44:1,2,4,10 83:3 84:10 86:3 88:24 112:5 113:7 134:15 141:6 179:15,16 179:22,25 180:2 180:4,13,23 218:8 220:3,14 220:18 221:19 222:10,22	lion's 13:24 list 25:25 36:9,9 38:22 40:18 50:11 66:21 114:10 158:3 183:2 213:13,20 217:21 218:4 223:21	68:25 82:13,19 86:5 87:19,22 99:2 105:13 107:14 116:24 118:7 121:4 124:15	34:4 52:8 54:1 58:23 62:8,13 69:4 79:13 166:11 172:16 172:16 173:5 192:14 199:22 219:2
lights 44:12 181:19	listed 94:12 101:2 107:17 115:9 142:2,7 158:5 183:16 184:17 202:23 207:23 213:22	14:2 17:8 27:15 30:25 40:4,17 61:2 83:7 85:18 90:4 126:20 141:17 148:20 149:13 166:9 170:3 188:14	longtime 47:7 look 25:16 31:4 36:17,18 38:22 46:21 56:12,13 57:13 61:21,21
likelihood 94:6	listening 189:23	live 127:19	70:23 71:7 75:4
limit 84:23 189:8 189:10	lit 181:12	lived 127:15,19	76:21 81:10
limitations 122:10 134:12 226:16	literally 95:14 literature 54:23 58:11 98:11 99:11,13,16,20	128:22,22 133:6 133:9 136:4,4	89:8 95:8 98:5
limited 21:10 45:7,8 159:3 177:21 188:7	112:8,24 123:25 124:3,5 140:13 141:7 164:19	living 8:24,25 127:14 185:21 211:24	107:5 109:7 118:25 119:3,4 120:8,21 121:10
limits 6:14 84:10 84:10,11,11 112:25 134:14 141:5 217:23 218:5,7	177:12,13,13,15 177:16 178:24 179:2 220:6,12 221:19 223:21 literatures 112:4	llc 2:3 186:9 local 14:13 location 31:3 119:11 120:7 150:17 166:16 194:24 219:12	121:21,22 122:16 124:8 126:22 130:5 138:17 150:8 153:4 158:12 159:21 160:1,9 161:4,17 163:2,9 170:24 171:7
line 45:19 65:19 103:1 112:7 196:20,21 228:3	litigated 119:3 119:20	locked 216:21,24 log 27:7	176:24 182:22 186:21 187:16
lines 74:15 110:2 210:20	litigation 9:4,10 9:12,13 10:13 14:1,4,16 15:2,7	logic 171:9	187:17 188:2
link 57:9 99:14 184:17 225:11	15:13,22 16:6,12 17:12 24:19	logical 56:12 133:24	190:5 195:5 213:8 215:21 220:21 221:18 222:24 223:20

[look - mean]

Page 29

224:15 225:9 226:19 looked 59:17 91:14,19 102:9 126:18 130:10 130:11,17 147:15 152:8,10 153:2,17 161:2 161:19 167:1 176:5 177:11 188:3 193:11,16 193:25 194:1 195:16 213:17 looking 35:11 50:11 54:24 58:14 59:1,10 69:21 113:19 118:5,20 119:8 119:10,17,18,21 119:22 120:1,3,7 120:12,18,23 121:15 127:8,9,9 127:10 141:19 144:9,17,18 145:17,25 152:11 157:15 157:16,19 161:14 172:6 176:24 178:7 181:22 187:18 looks 32:14 45:21 60:22 137:25 158:4 168:7 213:14 loosely 7:1 lorenza 169:4 lost 192:15	lot 6:8 12:11,13 14:7,8,22 70:7 73:13 86:4 99:13 168:1 199:8 223:9,17 lots 164:21,23 223:1 louis 6:2,20,21 14:5,8,13 low 129:20 206:22 lunch 145:5 lurking 95:22 m m 6:19 magazines 14:21 maggie 77:21 mailbox 182:12 main 17:20 124:13 maintenance 183:18 184:4 202:6 majored 5:19 making 12:19 79:12 80:13,15 139:13 195:2,3 male 169:3 mall 224:11 malpractice 17:25 management 22:21 44:16,25 45:22 46:4 47:20 77:5 78:7 78:8 81:19 86:13 87:18	88:6 90:1 210:4 210:18 manager 33:9,19 77:2 88:11 108:19 114:6 205:5,9,10 209:7 210:2,12 manages 110:5 mangled 24:3 manned 135:6 135:20 manner 98:5 manor 133:6 manual 202:18 maps 210:15 march 33:18 60:23 61:7 148:5,10 marching 198:14 mark 31:12 32:21 55:7 63:12 186:5 213:7 marked 31:16 32:24 56:1 63:17 108:8 109:20 186:12 markings 158:7 martin 133:6 masked 182:10 master's 5:19 material 23:18 24:12,13 28:10 32:11 47:6 65:15 66:5 67:9 67:21 68:17,20 108:4 111:23	113:2 114:4,16 125:19 128:17 materials 23:3 40:19 43:15 45:24 67:15 68:7 107:10 111:7,10 112:11 158:9 184:15 188:3 matter 17:19 26:1,5 27:17 28:22 29:19 35:14 41:4 45:2 45:5,8,21 65:21 66:13 68:25 76:3 77:1 114:4 118:8 131:6 134:17 135:8 156:3 202:16 210:7 mattered 203:16 matters 9:5 16:6 16:13 24:18 172:10 226:3 mean 8:8 11:11 11:11 13:2,17 15:18 19:9 23:5 28:23 29:10,21 30:8 33:18 35:22,22 36:12 37:22 40:14,14 41:10 50:4,10,12 51:23 54:16 56:3 59:25 60:2 61:10,14 62:20 66:2 68:3 69:7 77:18 81:6 85:9 85:10 93:2 96:7
--	--	--	--

[mean - methodology]

Page 30

96:18 97:19,25	215:17 219:25	melcher 2:8 18:2	196:8,12,14,19
98:24,25 99:17	223:11 225:1	18:6 29:20 30:4	196:23 197:2,8
102:23 103:6	227:9,11,12	32:17 34:15	197:16,19,25
104:13,17,25	measures 6:14	35:18 37:20	198:4,7,12,19
105:6 106:8	35:2,5,16 36:7	40:25 42:3,8,19	199:25 203:11
108:7 109:1,4	44:5 59:3,8 86:2	43:3,11,19 45:1	204:10 205:1
116:5 117:6,9,9	86:21 89:1 91:6	45:6,11,14,16	209:3 211:16
119:19 122:24	91:12,12 92:3,7	49:25 50:6	212:8 213:3,5
128:14 135:20	92:24 93:17,24	52:15 53:11,16	214:10 221:11
136:12 138:6,21	94:12 98:8,8	53:23 60:21	227:17
142:24 152:4,25	100:2,12,18,25	63:25 64:3,9	melcher's 109:5
154:7 158:15	101:1 106:6	65:20 68:11	member 6:5 8:3
159:23 161:2,23	121:17 122:6	69:9 72:25	34:16
162:20 165:21	124:11,25,25	73:18 74:1 75:9	members 17:18
167:18 168:10	125:9 127:17,18	77:7,11,14 78:11	66:18
177:5 178:25	128:2,2,10	78:18,22 79:2,4	memberships
179:11 182:16	129:11,12 131:3	79:6,12,18 80:3	12:5,7
183:9 184:21,22	135:4 136:6	80:21 81:4 84:4	memory 36:13
193:1 208:4	138:15 141:8	91:2,9 92:11	men 195:11
216:6 219:24	142:15 153:7	93:8 94:10 97:1	mentioned 94:15
222:23 223:15	154:23 161:9	103:20 114:24	109:25 144:21
meaning 179:15	171:11 175:6,12	115:17 116:3	147:5 161:3
meaningful	183:2,4,13,23	122:18 123:2	merely 218:16
215:10	184:2,10,11	125:12 132:2,15	messages 41:14
meaningless	192:11,22 199:4	132:20 134:3,10	41:18 42:1,25
204:1	200:18 201:14	134:20 135:11	109:21
means 33:24	218:22 221:3	138:2,20,23	met 10:2 86:13
68:10,22 98:2	223:15	139:6,9,14,19,22	86:14
104:20 196:10	measuring	140:2 142:4	meta 72:17
207:11 224:24	226:12	157:6,20 158:13	method 28:17
225:3,25	medrano 1:4	158:25 171:6	110:23
meant 179:17	meet 8:22 149:5	173:11 174:1,9	methodology
measure 51:14	172:17	175:9,15 176:13	27:14,16,20,22
52:21,23,25 53:2	meeting 86:24	181:3,16 184:13	28:21 29:23
53:9 54:4,6 92:2	87:4,17	185:23 189:4,8	30:7 54:18
92:23 105:16	meetings 89:18	189:16,22 190:1	59:12 65:10,11
179:15,18	90:2 205:6,17,20	190:9 192:3,13	68:6 82:3,17,18
180:14 199:4	205:21	192:24 195:19	101:18 102:15

[methodology - need]

Page 31

102:16	mischaracterizes	mouth 208:15	narrative 168:9
methods 27:24	81:5	move 148:1	narratives 51:16
28:3,8,17 29:14	misleading	217:18	narrow 37:25
57:18 100:5	209:21	moved 6:3	101:9 125:3
171:4,17	missing 178:16	176:20	national 103:10
metric 128:5	missouri 6:2,21	moving 12:21	natural 146:13
mgr 33:10	misspeak 141:17	13:1 103:18	183:19 184:3
michele 1:22	mlk 133:8	117:16,23	226:15
5:2 6:19 32:25	moderate 221:1	multi 89:9,15	nature 26:8 38:6
55:10 230:3,21	modest 219:9,16	multifamily	76:7 93:16
midst 185:15	moment 164:7,9	126:23 132:7	105:20 123:4
migrating 121:2	moments 96:9	multiple 6:6	125:5 136:15
124:21	96:19	12:5 48:2 50:20	142:13,19 161:1
mile 126:19,24	money 15:21	62:23 113:13	162:25 224:23
127:20 130:24	174:7 178:3,4	207:13	near 35:3 59:3
188:4,20 190:7	182:15 204:22	munroe 1:22	95:17 96:2,19
194:14 195:6,7	222:19 223:2	230:3,21	101:11 103:12
mind 76:20	monitor 203:2	murder 13:20	124:17 125:23
184:11 190:20	monitored 179:9	119:24 154:8	172:1
191:4	month 12:11	157:1 170:19,22	nearby 120:22
mine 49:19	21:24 146:9,12	171:16 172:7,13	121:5,7,23
215:5	148:11 150:2	187:10,22,24	122:17 124:9,13
minimal 178:15	219:2	188:6,18 193:15	214:15,20
minimis 206:24	months 9:24	murders 136:20	nearly 193:16
minor 1:5 85:7	10:1 15:3 96:23	172:15	194:1
85:10 172:5	102:3,5 147:11	mutual 148:20	necessarily 73:8
219:9 221:1	151:3 153:18	n	145:19 148:6
minute 63:9	156:23 188:6	n 2:1 3:1 4:1	164:20 167:15
70:19 71:25	191:17 193:4	14:7 104:25	167:25 213:16
94:15 98:13	194:2,2,14	180:17	necessary 91:22
122:10 186:3	210:17	n.e. 2:9	153:24
193:23	morning 4:6 5:7	name 4:6 57:3	need 19:15 24:20
minutes 26:23	149:24	107:18 157:11	41:6 50:19 55:9
27:2 34:5	motion 200:9	157:12 224:15	55:15 60:16
134:23 184:18	motive 101:22	named 1:20	63:6 64:19
190:10 206:21	motor 13:20	names 110:2	68:20 80:12
230:11	162:7,18,23	126:25 224:16	84:12 88:15,16
	164:3		88:16,18,18 89:1

[need - observe]

Page 32

110:17 140:9,20	106:2 117:21	95:13 96:4,6,9	40:25 42:3,8,19
153:11,15 154:4	121:18 125:1	96:13,17,24 97:9	43:3,11,19 45:1
160:4,5 167:23	143:16 144:2	notices 52:4,7,13	49:25 50:6
167:24 181:17	152:19 153:8,24	53:8,21 148:15	52:15 53:11,16
181:18 187:2	170:1 180:25	173:6	53:23 72:25
189:24 196:12	190:18 191:11	notwithstanding	73:18 74:1 75:9
198:14 207:20	nightly 117:16	159:12	77:7,14 78:11,22
208:23,24	nighttime 102:4	november	80:7,21 81:4
209:13,24	102:10 146:10	147:23,23	84:4 91:2 92:11
needed 86:16	146:20,24	nuisance 208:18	93:8 94:10 97:1
92:18 106:1	172:22	208:21	97:5 103:20
needs 128:15	nine 9:24 10:1	null 180:17	107:15 114:24
172:10	12:11	220:18	115:17 116:3
negligent 9:5	nomenclature	number 4:10	122:18 123:2
187:7	4:14	54:25 164:25	125:12 132:2,15
negligible	noncompliant	205:3 208:1	132:20 134:3,10
220:19	39:20,22	209:15 210:11	134:20 135:11
negotiated 185:4	normal 218:18	210:16,22 212:9	138:2 139:13
neighborhood	northern 1:2	213:2 214:14	140:6 157:20
70:7 123:10,20	notary 229:16	215:6	158:13,25 171:6
195:17	notation 76:1	numbers 15:11	173:11 174:1,9
neighborhoods	note 55:20 72:14	206:23,23 227:7	175:9,15 176:13
13:25	74:10 75:1	227:10,10,11	181:3,16 184:13
neighboring	noted 72:13	numerous 78:1	185:23 189:4
140:19	73:23 75:22	81:12	190:9 192:3,13
neither 47:18	76:16	nunez 210:2,11	192:24 195:19
174:15 175:18	notes 3:7 24:16	nutshell 82:8	196:8 203:11
230:13	31:24 32:8,12,15	220:5	204:10 205:1
neutralized	32:22 34:18,20	o	211:16
49:13	35:12 55:13,22	o 4:1	objectionable
never 102:14	76:17,24 108:5,6	oak 133:7	79:7
180:9 182:6,7	108:8 111:16	oath 230:7	objections 78:18
new 23:10,16,17	157:16,19,21,23	object 35:18	79:11,13 139:24
23:17 24:11	157:24	45:17 68:11	189:10,11,17
26:4,6	notice 1:25	80:3	observations
nice 198:19	25:18,19 61:6	objection 29:20	211:21
night 62:6 92:18	93:22 94:15,17	30:4 37:20	observe 141:21
100:19 102:13	94:21,24 95:2,10		

[obtained - opinions]

Page 33

obtained	188:4 205:7	178:5 223:8,16 223:18	64:11 66:20 67:15 68:13	operating
obviously	5:13 11:5 12:4,9,13 14:16 30:8 32:16 48:19 49:9 59:1,9 62:12 64:19,23 69:7 71:21 89:23 93:19 119:10 120:10 130:5 135:21 148:21 152:8 156:25 160:11 161:2 166:25 172:18 201:10 202:22 222:19	offending 215:23 216:23 217:10 offense 195:11 211:23 offer 69:16 82:12 95:5 96:8 96:16 114:7 122:4,5 130:16 200:5,6 offered 162:17 offering 82:11 91:3 96:22 97:2 97:11 121:13 132:21 182:19 office 34:7,16 44:11 104:7 208:9,11 officer 77:22 144:21 202:10 203:19 204:15 205:6,23 208:5 217:16,18 224:18 officers 48:3 50:21 191:21 219:23 220:1,14 official 46:13 48:12 oh 24:15 31:18 52:22 118:10 135:24 okay 4:21 5:4 14:15 20:8 31:10 33:2,17 45:9 55:18 57:13,16,21	75:14 82:7 93:4 93:10 94:1,15 97:4,23 98:12 103:9,23 104:9 107:19 122:9 132:7 145:2 150:10 151:25 157:1 160:19 167:7,11 168:5 171:23 173:1,6 175:16 186:25 187:6,16,23 189:24 192:6 197:9,16 198:22 199:11 201:5,25 202:25,25 203:10,15 204:20 207:1 211:13 217:9 227:13 old 169:23 once 39:18 41:10 47:20 49:18 51:4 58:2 94:11 141:13 142:3 171:7 208:11 225:4 ones 19:6 161:19 180:6,8 214:8 online 25:18 open 59:23 143:14 182:14 202:14 206:17 operate 129:20 operates 110:5	115:25 117:1 206:5 operations 8:12 opinion 28:21 90:25 91:4,8 92:19 93:3 94:3 94:5,16,20 95:1 95:3,6,12 96:9 96:16,22 97:2,5 97:11 114:7 116:23,24 121:14 122:5 130:17 131:6 132:12,16,21 133:14 134:6,17 136:13 137:8 149:22 155:7,19 162:17,20 163:17,20,24 165:19,22 182:19 188:22 189:1 190:12,14 192:4 196:4 198:22 200:6,14 200:18 201:4,8,8 203:14,15 217:24 opinions 27:17 27:24 28:4,12 30:10 43:23 54:12 55:25 59:6,16 60:7,11 64:23,25 65:4,12 66:8,18 67:3,25 68:9,14,18,18,21 68:24 69:15 71:17 72:20

[opinions - partial]

Page 34

81:3 82:10 91:4	26:21 55:1	22:18 54:14,25	145:18,22,24
91:10 98:1 99:5	159:23 160:4	54:25 55:3 71:3	146:2,8,19 150:2
99:22 105:12	osha 56:11,16	90:8 95:7	150:9 162:4
108:7 111:20	ought 206:4	102:25 106:4	164:1 176:25
126:2 138:25	outcome 138:10	107:9 108:3,13	178:12 179:14
171:2 175:5,11	158:19 230:15	145:11 169:6	181:22 182:22
206:16 208:24	outreach 81:11	176:25 186:21	182:24,24 183:1
215:25	82:2 85:12,21	186:22 187:6,17	183:3,17 194:8
opportunistic	outside 82:13,19	187:24 188:2	194:10,17,18
182:1	103:18 126:3	194:9 201:12,12	207:24 215:21
opportunity	182:11	207:13 228:3	217:14,21
17:14 215:24	outsiders 137:4	pages 32:14,22	paragraphs
216:10 217:11	overall 75:5,7	186:18 195:14	79:13 113:1,3
opposed 9:9 15:7	218:23	paint 37:23	145:13
15:14 85:4	overarching	paper 13:3,8	parameter
93:12 124:4	30:15	22:8,9 57:16,25	150:17
148:13 153:9	overnight	76:18 160:4	parking 14:7,7
156:22 176:8	117:13 154:5	papers 12:13	135:6 143:14
177:25 224:10	173:9,24 174:7	22:24 29:12	part 11:2 25:4
opposite 190:8	174:13,18	57:7 70:25,25	39:12 43:5
oral 1:14,20	oversee 81:20	217:21,22,24	67:22 69:9
order 110:15	88:7	218:3 223:25	71:20 85:11
167:15 170:7	overstating	224:15,16	91:23 93:2
183:18 184:4	208:22	paragraph 65:23	114:16,17,17
orders 198:14	ownership 47:20	65:25 68:2	129:21 130:6
organization	88:13	69:21,21 81:10	131:20 132:3,6
84:1 103:10	owns 110:5	81:10,23 82:4,8	134:11 147:17
105:1 215:8,13	p	82:15 83:6	148:1 169:10,10
organizations	p 2:1,1 4:1 83:1	84:19 89:8,11	169:15,16,25
8:19 83:15	225:12,16	90:12,14 92:14	170:17 172:12
104:21 105:8,19	p.m. 145:8,8	95:8,9 102:2,24	172:18 177:7,10
organizing	168:10 221:14	102:25 103:7	179:23 180:22
54:20	221:14 227:19	107:6,8 110:21	185:8,8 199:11
orient 118:3,3	paces 2:4	111:17 113:3,6,9	206:8 210:16
oriented 145:25	packages 167:25	114:3,17 118:4,5	211:18 216:17
original 18:24	page 3:1 19:21	118:6 126:22	222:17
19:4,9 20:5	19:21 20:2	135:5,5,5 141:19	partial 217:21
21:20 26:17,18		143:12,22	218:4

[participating - periodic]

Page 35

participating	153:9 174:23	157:13 161:5	190:5 193:11
186:15	175:1 208:3	pay 20:24 61:16	195:15 201:2,4,7
particular 11:9	214:18 220:20	174:7,18 206:21	201:13,21,23
13:6,8,13 14:20	patrolled 144:12	paying 79:10	202:17 205:8
24:7 29:16 51:5	208:5	payment 10:7	207:3 209:21
63:6 75:2,19	patrolling 51:17	pcp 54:7	217:1
86:19 101:13	51:18,25	pdf 22:11	perfectly 182:13
105:16 109:10	patrols 48:2	pdfs 57:8 184:16	189:16
110:4 113:21	50:21 185:3	peachtree 2:9	perform 9:2
122:3 123:10,18	pattern 6:15	peaks 133:8	11:16 100:4
134:7 141:8	30:11 53:3	peer 6:7 28:5,7	111:2,9 128:18
142:20 151:11	74:18,19,20 83:2	56:24 58:2	performed 30:22
151:23 160:12	84:13 88:17	98:11 99:16	150:11 212:3,20
168:15,20 176:3	92:13,19 94:13	101:4 111:25	performing
196:3 216:5,9	100:1,8,15	112:7,13 141:7	151:7 155:2
222:6	101:16 102:18	183:7 219:18	perimeter
particularly	103:4 105:24	peers 17:24	127:24 132:10
151:16 153:5	112:20 118:14	pen 19:21	133:19
178:17 218:24	118:17,20,25	people 4:18 6:20	perimeters
parties 10:24	119:12,17 120:4	17:22 85:11	130:5
partnership 1:9	120:16 121:15	98:3 99:17	period 56:5,8,10
18:14	121:20,20,23	136:1 137:5	57:22 58:1,18,19
parts 25:23 38:8	122:14 124:20	162:20 163:23	58:24 59:6,7,11
38:18 146:11	126:6 131:8	165:16 166:6	59:15 110:7
party 230:10,14	135:23 136:10	181:6 208:19	119:5 146:9,12
pass 52:4,7 53:8	136:15 145:16	223:1,1,5	152:5,9,11 153:3
173:5	145:18,21 146:2	people's 206:22	153:5,20 157:7
passing 52:1,13	147:25 152:18	peppered 46:10	161:4,6 168:7
53:21 148:14	156:1 174:21	113:8	185:25 191:24
paste 26:6	175:4 191:16,23	percent 164:3,9	192:1 194:6
patient 221:5	192:7,18 200:13	225:7,25 226:1,4	208:8,12 219:2
patrol 8:2 48:8	215:19 221:25	226:6,25 227:2,6	periodic 46:3,21
51:22 52:6,7,10	222:16	percentage	46:24 47:9,19,22
53:25 91:21,22	patterns 8:15	16:15	50:15 51:21
112:5,19 117:18	72:23 73:14	percentages	52:10 89:18
134:14 135:1	75:5,7,8 76:22	15:19,23	117:18 148:13
141:6 143:24	86:2 123:9,21	perez 186:8,15	153:9 172:24
144:8,19 145:20	124:7,9 128:19	187:1,3 188:16	185:4 193:5

[periodically - policy]

Page 36

periodically	pip	205:5,17,19 205:21	plans	222:20	51:1,1,5,10,12 51:13,17 55:2,4
48:8 52:1 208:6	pitch	180:25 181:13	played	72:23 73:14	55:21,24 58:25 59:2,17,21 60:2
periods 154:2	placards	144:11	players	70:5	60:2,3,6 71:20
perjury 197:12	place	35:2,16 36:8 59:3,9	playground	72:11,15 73:21 182:12	72:11,15 73:21 74:10 75:12,18
197:15,18		89:16 91:12 93:17,24 98:8	plays	105:12	76:13 78:13
permission		100:2,18 115:22	please	25:10 45:9 63:8	79:22,23 80:23 89:24 91:19
10:16,19		120:16 121:17		134:24 145:11	101:18 102:8,16
person 33:23,25		122:6 124:25		148:12 173:16	108:21 110:14
35:23 86:24		128:3,5 129:4,12		197:9 198:5	110:18 111:5
87:4 128:22		150:12 151:12		199:7	113:16 116:11
personal 40:12		153:10 161:8	pllC	2:9	120:24 125:16
personnel 44:11		172:10 180:14	plus	57:8 184:16	144:21 146:5
44:12,16,25		184:12,21	point	18:5 23:1	151:8,15 158:6
45:22 46:5		187:22 188:18		46:15,15 51:5	162:11 167:16
86:14		200:17 230:6		68:17 80:4 85:6	180:15 188:4,17
perspective	placed	230:7		89:17 99:19	191:19 205:5,10
19:18 73:17	places	129:3 133:10		112:15 117:23	206:13,15
144:10 159:13		187:23 179:22		178:23 179:22	210:24 211:7,17
ph.d. 5:22 12:1,3	plaintiff	16:12 16:14 127:14		183:1 195:2,3	218:25 219:5,6
186:8,17		130:11 187:12		200:21 205:6	220:1 222:2
phenomenon		194:7 216:17		206:3 221:16	224:10,12,13,18
112:22	plaintiffs	1:7,21 2:2 4:7,15 16:5	pointed	146:17	policeman 143:2
phone 31:5 86:1		17:3 103:12	pointer	4:13,24	policemen
206:22		107:12,22 126:3	points	50:8,14	220:13
phrase 97:13,15		195:16 213:24		71:2 101:2,3	policies 10:6,12
physical 33:11	plan	89:12,14,16 89:20,22 90:3		105:19 111:22	10:24 202:5
33:16 69:11		115:12,15,19,22		112:3,6,7,13	203:3,6,7 204:5
physically 19:20		192:17 202:22	police	114:11 115:8,9	204:9 214:15,22
20:18 144:19		202:24		185:20 201:19	policing 83:3
pick 127:4	planning	90:1		202:22 207:10	102:12 222:4
221:15		207:19		police 3:8 8:6,16	policy 114:23
picking 113:18				8:19,20,21 28:10	115:3,5,8,16
195:4 207:16				31:23 35:9 48:3	202:18 203:4
picture 27:14				48:20 50:21	210:8,10 215:3
piece 122:14,15					
123:10					
pieces 76:18					
202:14					

[pool - prevention]

Page 37

pool 104:8,8	134:18,21,25	158:3 161:5,16	119:8,14 120:11
population	135:3,9 136:23	161:19,23,25	120:17 127:24
161:18	137:17 138:16	162:5 165:9,20	132:11 148:7,13
position 9:22	138:19 140:8,11	165:24 166:17	148:14 151:15
143:14 215:4	140:18 141:2,3	167:4 168:13,20	152:16,18 153:8
positioned	practices 98:9	172:12,16	153:9,24 154:17
217:16	106:4,5,9 111:24	174:21 175:3	166:23 179:4,10
possibility 80:6	127:7 128:1,4,8	177:7 185:17,18	185:4 190:18
possible 16:11	129:14,17,22,25	187:9 191:2,5,6	191:11 193:5,6
16:17 21:6 70:8	133:25 137:24	191:16,23,25	218:8,10 219:23
129:2	183:5	192:7,9,18,20	222:2 224:5,10
possibly 96:3	preceding 102:6	193:3 215:22	224:12,13,18
post 171:1,7,10	191:17,24	216:23 217:10	225:22 226:10
171:16 204:6	precise 19:15	predicate 10:10	present 82:3
posted 87:13	163:5	predict 163:14	104:3 117:24
103:12 202:12	precisely 195:25	163:21	118:9,13 143:2
203:20	predatorily 76:9	prediction	presentation
posture 81:25	predatory 69:23	192:10 199:3	23:8
82:10,23 83:9,12	70:2,16 71:13,24	predictive	presentations
84:2 114:9,11	72:2,9,12,24	164:20 165:7,9	22:22,23,25 23:1
115:11,21 129:3	73:4,11,14,22	preliminary	preservation
129:6 130:13	74:20 75:8,19,25	65:20 66:1,3	47:20
161:8 172:19	76:15 92:13	67:24 68:14	president 57:1
200:7	93:20 94:13,23	150:24,25	58:6,7,9
posturing 81:14	102:4,5,10	premise 198:23	pretty 17:21
potential 46:18	105:25 110:19	premises 117:21	31:25 32:7
potentially	118:15,17 119:4	187:7 195:22	106:10
51:15 52:18,18	119:21 121:15	preparation	prevent 8:16
78:12	121:21,23 123:9	32:12 108:6	95:20 177:10
potholes 37:23	123:21 124:7,9	prepare 5:7	178:21 179:23
pour 38:12	131:8,22 132:14	preparing 68:24	201:14
practically	132:19 134:2,19	presence 51:1,13	preventative
223:3	135:9,14 136:10	51:24 52:11	177:15 208:2
practice 56:14	140:20,21	73:12 101:24	prevented 166:4
110:3 121:5,6	145:16,18 146:3	102:12 105:23	226:11
131:4,19,21	146:10,15,21,25	106:1 117:16,25	prevention 6:13
132:6,9,13,18	147:11 151:16	118:6,16,23	6:14 8:7 35:2,5
133:14 134:7,9	156:15,17,21,25		36:7 51:14

[prevention - property]

Page 38

81:14,25 82:10	158:12 159:1,3	produced 32:5,6 40:24 41:6,9,13 43:1 57:7 67:17 214:6	129:6,8,10,11,18 130:9,18,23 131:10,13 133:2 135:23 136:5,9 136:19 137:12 137:14,19 138:1 138:18 140:10 140:19,22,25 141:22 142:1,5,6 142:10,11,12,18 142:23 143:1,16 144:1,22 164:21 164:24 180:20 181:1,10 195:6 226:9
82:22 83:9,12	175:13,16 182:8	product 83:25	
84:1,10 85:1	185:18 188:6	production 57:7	
88:24,25 98:10	192:8,18 193:4	professional	
101:5,6,6 106:23	194:2 200:8	5:13,15 9:2 15:6	
111:25 112:1,2	203:21 208:12	17:24 22:5	
112:25 114:9,11	210:13	27:23 43:22	
115:11 134:13	priorities 202:6	81:11 85:12	
134:14 171:4,17	private 8:18	104:20,25	property 33:9
178:17 179:2,18	81:12,18 82:12	105:15 124:6	44:15,19,24
183:5,7,8,11,14	84:25 88:5	professor 5:25	45:22 46:4,8,8
183:24 184:9	220:2,13	6:1	46:13,16,17,22
204:2 210:23	privilege 139:12	professors 10:5	46:25 47:9,12,19
211:2 215:10	139:15	program 6:25	48:8,9 50:16,25
218:6 222:20	privileged 140:5	7:6	51:2,25 52:4,6,9
224:4	probability 68:1	progress 164:10	52:17 53:4,20
prevents 177:2	68:4,15 177:23	project 123:20	58:21 62:21,23
previous 42:10	222:14	projecting	76:4,14 77:3,13
50:2 117:6	probably 15:9	138:25	78:10,19 79:25
141:16 183:17	20:21 26:11	promise 60:13	81:19 88:6,19,20
194:18 207:24	30:12 31:13	prongs 9:19	88:23 89:2,3
previously 65:11	48:5 62:17,22,22	85:13	91:22 92:18
125:8	85:3 86:5 91:9	proof 22:19	93:20 95:18,23
primarily 41:15	99:6 120:7	properties 6:10	95:23 100:17
118:6 145:12,13	163:2 185:1,6,10	8:18 37:17	101:10 102:9,10
principally	216:11	106:7 120:22	102:13 105:25
71:24	probative 224:8	121:6,7,23	108:18 110:5,17
print 25:17	problem 78:16	122:17,17	112:21 114:6
printed 25:13	199:23 200:3,4	124:17 125:23	115:14,24,25
prior 18:11,12	204:8 215:15,17	126:9,18 127:7	116:11 117:1,7
26:7,13 27:7	216:11	128:20,23 129:1	120:14,21 121:3
35:7 36:23 40:3	problems 72:22		
59:1 69:16	procedures		
76:14 96:24	202:5 214:16,23		
97:7 146:3,6,21	process 16:18		
146:25 147:12	112:16		
149:2,10 151:4	produce 41:3,8		
153:19 155:3	41:11		

[property - questions]

Page 39

121:16,22	174:13	publisher 22:12	86:8 89:7 92:18
122:14,15	provided 24:19	pull 137:11	93:1 94:19
123:10 124:18	37:6,11 42:7	punched 208:15	100:14,19,22
124:22 137:3	43:15,21 47:1	purchased	104:18 106:2
142:3 144:12,12	48:2 50:21 60:3	210:17	115:1 117:10,20
144:20 147:14	64:15 81:7	purpose 34:24	117:21 121:18
147:19,24	90:15 99:14	144:10	123:15 125:1
152:10 154:9	107:17 108:14	purposes 15:17	127:13,25 133:5
161:15 162:8,13	108:24 109:1,3	pursuant 1:24	133:24 134:24
162:18,22,24	109:18,18,25	pursuits 9:9,17	135:13 137:21
163:6,14 164:24	149:8 158:8,9	15:8,14	138:5,13 140:4,6
165:18 173:17	209:21 211:3,19	put 20:20 31:8	140:12,14,24
180:7,8 181:7	213:12,18,19	31:11 63:19	141:10,11,14
182:6,8 191:11	provides 21:3	65:4 90:13 97:8	148:24 149:19
193:10,12	providing 7:18	130:25 158:6	152:19 153:9,14
194:14,19 203:8	87:25	177:14 186:3	153:25 158:21
204:12 205:4,4,9	provisions 39:9	192:5 200:8	159:16,19
205:16 206:20	39:11 71:4	213:6 215:2	161:10 163:5
207:14 208:6,16	provost 10:18	223:21,22	164:15 165:8
208:18,21	prowler 172:2	putting 180:19	166:13 171:9,15
209:16,22 210:2	proximate	q	171:15,20 173:8
210:12,18,20,23	194:10	qualifications	173:16,21 174:5
211:11,25	proximity	25:25	176:3 178:8
212:19 226:8	195:24	qualitative	189:5 190:19,23
227:4	proxy 115:13	12:17 28:9	191:12 192:14
protected 159:15	prudent 148:1	124:2	193:2 196:24
160:12	psychologist	quantitative	197:23 198:2
protocol 28:19	67:11	12:22 13:1	199:21,24
28:23,25 29:3,9	public 229:16	question 10:10	209:10 210:6
29:16	publications	11:2,17 17:9,11	212:8 213:5,7
prove 177:22	12:12	24:4 27:6 30:6	214:11 216:6
provide 9:3,5	publicizing	35:21 43:13	222:1
19:12 35:15	144:15	44:14 45:5,7	questions 31:6
37:2 39:1 40:9	publish 22:9	49:19 72:17,17	32:13 35:24
41:17,25 47:6	published 6:6	72:18 73:2,6	36:15 45:10,25
83:17 84:7,17	12:13 22:11	74:22 77:10,24	133:21 135:22
85:16 87:8	56:12 58:3	78:4 80:8,9 84:6	187:4 189:9
117:12 173:24	104:20		209:13 227:14

[quick - record]

Page 40

quick 6:16 62:3	reached 64:23	177:8 180:23	reasons 17:20
quickly 5:1,2,3	65:3 69:15	181:13 185:24	160:11 218:6,13
quite 77:19	129:24 214:20	208:25 209:14	218:14
quote 33:7,8	reaching 27:16	210:1 211:14	recall 18:12,15
81:11,24 115:7	214:16	217:24 218:12	36:24 37:10
178:14 202:4	react 95:18	220:5 226:13	38:21 46:3
quoting 162:6	153:15	realm 177:23	47:17,21 49:1
r	reacted 95:19	reason 11:15	60:8 62:20 85:5
r 2:1 4:1	read 5:13 24:22	22:2,4 25:15	86:23 110:2
radius 128:12	25:18 34:22	26:19 37:9	156:5
130:12,24 188:5	50:19 82:14	124:14 136:3	receipt 21:16
rafael 66:17,23	83:6,7 95:12	160:13 170:7	receive 24:17
raising 113:24	108:3,13 153:13	228:3	109:13
ramp 154:23	169:2 176:16	reasonable	received 21:12
ramped 101:24	178:20 188:12	53:12 68:1,4,15	60:18 167:13
154:17	207:7 216:16,25	91:13 93:18,25	recency 59:10
ran 175:22	227:17	94:13 97:14,17	152:11 153:4,22
random 53:7	reading 49:22	97:25 98:2,6,12	161:5 170:1
185:2,5 224:11	67:20 74:10	98:16 99:1,4,9	recess 63:11
randomized	95:14 99:6	99:16,24 100:12	145:8 221:14
53:25 219:3	113:16,16,17	100:25 114:8,10	recognize 32:2
226:18	reads 95:10	122:7 125:1,10	186:22
randomly 53:20	ready 19:18 20:9	128:10 129:6,13	recognizing
rape 119:24	real 62:2 173:9	129:19,25	38:13
172:13	179:9 189:11	131:21 132:13	recollection 6:23
raped 208:7	really 6:25 7:4	132:18,25	47:15 109:16
ratcliffe 225:19	21:13 30:18	133:17,21 134:1	182:7
rate 206:22	37:25 38:12	136:25 137:18	recommend
rates 177:19	77:24 80:16	137:24 138:16	84:17 102:11
219:5	82:9 91:4 94:18	140:9,19 141:2	recommendati...
rational 12:20	96:4 97:21	154:11 156:3	87:6
rationale 92:21	102:8 103:16	172:21 173:9,23	recommended
rattle 36:9	105:22,24 106:1	174:2,3 175:12	185:11
reach 28:21 29:2	112:9 117:7	176:1 185:14,19	reconsider
100:24 111:19	121:14 122:7,22	192:12 201:14	196:13
118:11 214:14	125:4 133:22	reasonableness	record 44:24
	151:20 166:10	59:8 91:5 99:12	45:21 48:12,18
	172:6 176:9	129:10 199:4	55:20 56:17

[record - replace]

Page 41

57:11 60:1	126:7 135:2,4	registration	relatively 164:24
63:13 102:20	141:15,18	230:22	relevance 17:19
145:7 147:16	146:12 173:13	regular 98:3	86:2
189:21 197:9,20	reference 28:13	116:12 117:12	relevant 41:6
198:3,4,7,9	56:5,8,9 57:22	117:16	43:8,16 75:19
202:10 230:8	58:1,18,23 59:5	regus 1:23	99:10 111:3
recorded 164:23	59:7,11 70:10,24	reinforcement	112:4,14 142:1
records 50:9	110:7 119:5	183:19 184:4	169:13
59:24 206:17	152:2 153:3	reinforces 65:24	reliable 27:23
recount 149:25	161:4,6 194:6	relate 101:3	28:8,11 68:19
recovered 23:12	208:8	related 10:24	110:16 137:8
recurrent 76:5	referenced 47:25	27:5 72:2,9	177:1,9
76:22 78:15	51:8 100:24	74:19 89:19	reliance 50:5
79:25	110:1 125:19	105:8 141:12	relied 47:5
recycle 23:19	217:23	230:14	rely 49:7 57:24
recycles 21:23	references 22:17	relates 37:19	remains 226:1
redact 206:22	71:2 90:19	38:5 110:11,19	remarkable
reduce 220:2,3,4	referred 14:5,8	153:5 190:16	147:25 222:9
220:15 222:13	109:10	191:8 215:18	remember 52:14
224:19	referring 32:5	relation 184:24	78:2 121:11,12
reduced 227:6	52:2 57:17	relational	142:19 186:14
reducing 221:20	106:5 107:13,18	165:12	removed 176:20
223:6 224:2	144:8 147:8	relationship	render 30:10
reduction	173:12	13:9 69:25	43:22
177:25 178:9	refers 4:17 61:7	162:2 165:17	rendering 27:23
179:4 180:5,6,8	65:25 84:19	166:8 169:12	28:4,11
180:9,10,13	146:8 217:15	180:3 220:18,19	repackage
204:16 219:7,9	reflect 71:11	220:21	199:17
219:15,15,22	159:8 201:19	relationships	repaired 44:13
220:20,22,25,25	reflected 75:1,16	70:6 101:22	repairs 44:2
222:8 223:13	75:21 77:19	relative 53:12	repeat 76:4
224:22,24,25	223:18	59:2 91:6,14	repeated 166:14
225:5,7,21,23,24	reflecting 33:7	92:8 93:18	repeatedly 26:2
226:6,25 227:2,6	46:3	94:13 106:11	138:3,25
refer 4:14 6:20	refresh 187:2	122:7 125:2,10	rephrase 191:3
33:9 54:14,23	regard 133:11	129:3,13 132:25	197:13,22 198:1
105:4 108:17	136:6	170:4 200:13	replace 204:15
111:17 113:9		219:8 226:1	

[replicate - respond]

Page 42

replicate	115:1	131:1,2 134:11	73:21 74:10,25	115:21 116:15
replicated	68:6	134:16 135:2,14	75:12,15,17,18	116:16 132:22
report	3:9 5:9	140:16 141:4,5	75:18 76:13	132:23,24
6:8 15:18 19:3		141:19 145:10	91:19 107:20,21	206:18 212:17
19:11,17,24 20:3		146:8,12,14,18	108:21,22 109:2	212:22
20:4,5,6,9,11		149:14,20 150:1	109:9,14,17	required 116:8
21:12,18 25:23		150:7,18,21,24	110:6,10,18	142:20 143:17
25:24,24 26:4,6		155:1 157:11,13	111:6,6 113:16	185:7 206:1
26:7,18,21,24		159:8,12 174:20	116:11 125:16	210:8 214:23
28:14,16 29:5		176:18,24	137:12 146:6	requires 47:3
30:21 31:22		178:19 198:25	158:6,12 159:1,2	77:17 116:20
34:23 37:11		202:23 206:23	159:22,24	195:23 210:4
40:18 49:7 51:6		216:16 217:20	160:12 167:6,10	212:11
52:18 55:4		220:17 225:10	167:12,14,16	research 7:25
59:21 60:14		reported 97:6	188:4,17 206:15	9:2,18 12:12,15
63:3,13 64:11,15		110:13,13	207:1 209:16	12:18,22 13:1,14
64:22 65:4,13,19		146:15 164:3	211:17,23	69:22,24 83:2,3
65:20,24 66:1,3		230:5	represent 4:7	83:3,4 106:15,17
66:6,9,11,15,22		reportedly	representation	123:8,18,25
66:25 67:8,12,14		194:13	87:18	124:3,4,14
67:18,24,25		reporter 1:22	representative	138:12 140:13
68:18 69:5,10,10		32:17 33:3 63:7	88:12	141:4 163:15
69:12,16,17,20		63:8 230:4	reproducible	resent 79:16
70:10,14,16 71:8		reporters 4:25	28:11 68:19	reserve 68:22
71:11 72:15		reporting 46:18	reputable 58:4	residents 36:2,4
73:25 74:6 75:2		86:11,25 130:8	request 44:22	36:19,21 37:4
75:21 76:1 81:9		135:21 162:11	59:24 60:5,9,10	38:24 39:3,21,22
82:5,25 90:7,11		reports 3:8	79:7 206:17	resolve 114:2
90:21 92:14		18:18,22,24 21:8	211:5	212:6
94:12 95:8		25:22,23 26:13	requested 84:6	resources 8:16
97:14 101:3,8		27:7,10 28:10	210:13 211:2	192:2
102:2,21,25		31:23 35:9	requesting 26:13	respect 45:7
103:5 104:1,17		44:18 48:20	requests 44:21	180:21
107:6,10,25		51:1 55:2,21,24	107:12,22 109:6	respected 58:5
110:21 111:14		56:7 58:25 59:2	111:5 213:24	respectfully
111:15 112:16		59:17 60:2,3	require 10:7	74:24
113:8 115:9		68:24 69:2	37:17 79:15	respond 21:11
126:7,23 130:16		71:20 72:11	91:16 105:14,18	21:11,16 38:12

[respond - risk]

Page 43

51:11,12	results	47:21	98:11 99:16	110:21 112:23
responded	130:7 135:16		101:4 107:24	113:12,13 115:7
154:13	retain	18:18	108:1,25 111:25	116:21 122:21
respondents	24:22,24 25:20		112:7,13 141:7	123:15 126:3,9
13:4,6 123:12	26:16,18,21		183:7 188:17	126:13 128:11
responding	retained	6:10,11	209:18 213:11	137:12 143:21
51:19	19:19,25 20:10		219:18	144:4 153:22
responds	20:11 21:9 22:1		reviewer	154:16 155:14
response	26:25 27:11		reviewing	155:16,17 158:6
18:16 21:20	63:22,25 64:3,9		27:22 28:9	162:15 164:18
26:12 30:25	87:21 122:25		32:11 65:14	164:19 167:8
31:7,22 33:6,17	160:7		68:7 146:16,16	169:22,23
34:21 43:24	retaining	123:6	reviews	170:23 182:13
54:13 111:12	retaliatory		revise	182:13 183:8
144:24 159:5	13:20		150:18,21,22	187:10,11,14
responses	retention	16:20	revisit	188:8,12,21
40:22 44:8	88:3,4 122:19		198:15	191:14 193:8
107:11,15,22	retrospective		rich	194:5,6 197:19
109:5 111:4	199:2		richer	197:25 201:1,9
213:23,23	return	61:12	rid	202:4 203:3,4,19
responsibilities	revenue	10:15	ride	204:9,13,14
11:22 12:6,6	revenues	83:21	ridge	205:12,17,21
133:4	86:11		riding	207:9,22 208:1
responsibility	review	12:5,6	50:23	208:13 214:13
210:3	16:17 25:10		right	215:3 217:13
responsible	27:24 41:7		26:12 27:13	226:4 227:8,13
155:4	43:22 67:9,17		36:4,17 38:13	227:16
responsive	68:21 69:7		45:6,14,16 52:16	rigorous
26:15	108:20,22		54:24 55:3	131:2
restate	109:19,21 114:4		58:22 60:13,17	risk
restaurant	124:5 146:5		61:4,10 62:1,5	13:5,11
87:16	reviewed	5:8,9	63:16,24 64:6	53:13 56:11,16
restaurants	6:7 28:5,7 37:12		65:23 67:5	56:21 57:18
81:18 127:10	37:13 40:19		68:22 69:19	86:13 87:18
restrictions	47:2 51:1 56:24		71:8 74:16 77:4	88:11 91:6,14,17
10:12	58:2 66:12,16		77:11 91:18	92:4,8,9,12,15
result	67:11 68:8,17		103:18 104:10	92:24,25 93:2,5
47:10 165:5	71:21 81:6		94:22 97:9	93:12,18,19 94:5
			104:12 107:5	106:25 122:7,15

[risk - scroll]

Page 44

125:2,10,11,15 125:20,22 132:14,19 133:1 166:17 168:13 168:20 185:13 190:14,21,25 191:1,5,13 192:19 224:19 road 2:4 roamed 216:19 robbed 73:9 126:4 robberies 136:20 172:14 175:19 177:5 194:3,11 194:12 robbery 13:19 72:13 94:8 95:25 106:25 119:25 128:24 146:18 147:9 151:1 155:10,10 155:11,11,12,13 172:13 175:13 177:20,25 178:10 193:18 193:19,20,21,22 195:8,8,9,9,10 195:10,13 222:14 robust 204:22 rodrick 47:25 role 9:14 10:5 16:1 37:18 72:23 73:14 105:10 121:5 148:5	room 30:17 34:17 rosenfeld 225:18 roughly 15:12 62:18 69:4 126:19,20,21 130:19,22 routine 40:5,10 44:2,4,15,19,24 45:21 46:4 71:5 routinely 44:10 46:7,8 50:25 roving 112:18 144:20 145:20 174:23,25 rule 36:25 rules 4:9 10:4,12 39:15,17 189:18 run 10:8 running 208:18 208:20 209:8 rushes 182:14 s	sake 78:6 79:21 173:3 saturation 8:2 saw 7:21 28:13 95:22,23,23 225:17 saying 51:10 61:17 82:8 83:10 92:2 104:19 113:24 113:25 125:21 130:22 132:4,5 144:11 145:15 155:2,17 159:11 164:6 181:24 182:5 188:23 198:21 200:15 203:14 207:10 207:17 208:23 217:18 219:24 220:6,7,8,11 221:17,23 226:17,24 says 25:9 46:13 103:14 105:1 168:19 172:10 177:16 202:4 205:14,15,19 207:18 217:5,7 221:4 scan 18:24 20:2 32:18 scare 144:16 schnucks 14:6,7 scholarly 58:11 school 5:21 6:24 10:17 11:20 15:1 17:17	169:23 schools 7:3 science 29:23 58:4 219:4,18 221:4 sciences 10:17 28:8 29:14 58:10 scientific 27:21 27:23 54:22 56:25 58:3 68:1 68:4,15 69:22 82:1,23 98:11 112:8 177:1,9,23 178:15 179:2 183:8 201:8 219:25 220:12 221:18 scientifically 179:16 180:3 scientists 28:24 104:24 scope 91:15 116:4 122:2,8,21 122:24,25 124:22 125:5 133:3 141:12 191:9 scp 83:1 scratch 23:22 screen 31:8,12 31:14 63:20 70:22 167:11 168:3 172:2 186:4,7,11 223:22 scroll 169:6
--	--	---	--

[se - separate]

Page 45

se 22:18 83:17 93:24 165:21 222:12 224:5	115:3,5,12,15 117:13,16,25 118:7,8,12,18,23	212:15 218:22 220:2,13 221:10 221:19 222:21	210:7,10 212:5 segments 145:12 seize 78:14 79:24 80:23
search 8:1 26:14 26:20 27:8 70:22 158:22 159:1,18,20	119:1,8,13 120:11,17 121:17 122:6 124:11,24,25	223:24 224:1,5 see 6:2 7:13 21:7 24:21 26:14 27:9 31:8,9,9,13	seizing 78:19 selective 54:15 54:18 111:12
season 157:14,14	125:9 127:16,17	31:14 33:11	self 106:10
second 25:7 54:14 95:9 138:23 175:17 196:2 207:13 213:24 223:8	127:23 128:2,6 128:10 129:3,5 129:21,25 132:11 133:20 134:14 135:1,4,7	40:7 47:13 48:10,14 51:9 55:9 70:10 80:12 81:2 82:4 96:13 109:8	selling 195:11 sells 223:4 semester 23:11 23:18,18,20,20 24:11,12,14,14
secondary 44:22	136:6 138:15	110:9,12 111:23	seminars 90:15
seconds 197:20	141:6 142:15	112:5 119:12	send 16:25 32:18
sector 81:18 88:5	143:24 144:7,19 145:20 147:15	121:1 124:10 127:2,6 130:25	191:20 206:20 212:16
secured 144:13	148:18 149:9	141:2 146:16	sending 59:22
security 6:9 7:18 7:19 9:5 35:15 38:3 41:15,19 42:1 43:1,8 44:11 46:19 48:16,24 51:21 52:10,20,23,25 53:1,9 54:9 59:2 77:22 81:13 83:24 84:1,15,25 86:2,21 89:10,12 89:14,19 91:5,12 91:21,22 92:3,17 93:17 100:2,12 100:18,25 101:1 101:9,14,24 102:17 103:2,10 105:5,6,8,16,23 106:6 109:22 112:19 114:23	151:21 152:16 152:18 153:7,8 153:20 154:5,10 154:17 155:3,22 161:8 171:10 172:11,19,22 173:10,24 174:7 174:13,19,23 175:1,6,12,25 178:20 179:6,10 183:2,13,23 184:10,11,24 187:7 190:18 191:8,10 192:11 192:22 193:5,6 199:4 200:7,12 200:18 201:16 201:23 202:1,10 203:24 204:23 206:23 210:14	152:12,20 153:6 153:19 156:1 159:18,21 160:9 161:8,19 163:9 168:3,23 172:6 181:5,6 186:6,11 194:16 195:16 198:25 199:10 199:12 207:7,12 207:25,25 213:13 214:5 219:22 222:24 225:5 seeing 37:10 47:16,21 seen 43:16 44:23 45:20 46:23 48:3 49:4 59:22 60:16 78:24 80:22 168:2	sense 13:2 15:12 35:1 68:5 83:10 90:7 92:9 152:9 153:23 179:21 181:9,10,17 184:8 200:19 208:19 sent 20:15,20 21:7,14,17,18,22 26:19 27:1,1,8 60:19,20 158:11 159:1,7,8,21 160:1,6 172:8 sentence 95:9 105:4 139:5 179:21 202:3 separate 25:6 84:20 88:3 140:14 151:22

[separately - significant]

Page 46

separately	85:15	73:15 74:18,20	sexual	172:15	show	79:1
serious	69:22	75:6,8 76:23		193:17 194:4		102:24 136:3
	70:2 119:23	77:3 78:10,14,17	sexually	208:10		148:23 180:3,4,6
	120:2 154:12	79:24 80:2,23	shaking	172:9		180:7,8,9,10
	169:9,15 170:2	92:3 93:17,22		199:13		186:18 204:3
seriously	170:20	94:21 95:10,13	shape	84:1		217:5 224:21
serve	10:5	96:23 97:6	share	13:24		225:20
served	27:6	102:13 104:3		47:12 83:24	showed	51:1
	89:15 159:3,14	109:14,23 114:7		110:5		114:21 130:2
	160:14	114:23 115:3,5	shared	31:1		173:19 200:16
service	9:3,18	115:14,24,25		214:18		203:1
	38:16 48:6,13	116:1 117:1,2,13	sharefile	57:9	shown	179:16
	51:6 85:14	125:23 126:19		99:14 184:16	shows	41:23
	149:9 223:5	126:25 127:14		214:5 225:11		160:9 177:13
services	10:8	127:19,20	sheet	24:21		178:9,25 181:21
	148:25 149:2	128:15,22 129:4		25:11,20		182:10 204:24
	155:3	129:12 130:6,10	sherman	57:5,12		208:25 220:6
serving	10:13	130:13,18,22		57:19,25 225:6	side	128:3
	11:9	131:3 135:19,24		225:10		159:14 169:25
session	196:24	135:25 136:24	shifting	124:15	sign	18:24 19:11
set	1:25 29:9	140:18,24 146:3	shifts	154:19,19		19:20 227:18
	55:19 68:7	148:1,4,8,9	shooting	13:21	signage	144:3,11
	107:12 116:18	149:5,16 152:7		51:12,13 155:11	signature	19:22
	145:6 163:11	152:22 156:20		155:11 170:19		19:25 20:2
	169:24 213:24	157:14 166:24	shootings	136:20		160:5 186:22,23
	214:1 226:8	168:14,21		154:15,16 165:3		229:4 230:20
sets	13:6	170:23 171:18		165:10 172:14	signed	15:25
setting	17:25	172:21 173:10	short	6:16		20:5 159:23
	108:20	173:24 174:8,13		166:11,11	significance	
seven	33:19 34:8	174:19 176:1		221:11		162:2 224:24
	35:7,14 36:8	180:22 183:3,12	shorter	153:20		225:3
	39:4 40:2 41:15	183:23 184:12		194:6	significant	
	41:19 42:2 43:9	185:22 190:14	shorthand	1:22		124:20 164:25
	48:16,24 51:10	192:9 199:2		55:2 230:3		165:16 177:24
	53:10,21 62:19	202:19 204:25	shortly	154:9		178:9 219:7,14
	65:7,21 70:12	209:8 210:9	shot	103:25		220:23,24
	71:10,12,15 72:8	211:2,15 212:2,3	shots	172:7		224:22 225:4,21
	72:22,24 73:13	212:13				227:2

[signing - specific]

Page 47

signing	157:10 157:12	123:11,18,22 124:8,11,13	socially 8:22 society 57:1 58:6 104:23	source 38:2 57:21 60:11 113:19
signs	21:4	187:25 188:18	sociology 5:21 5:23	sources 113:14
similar	24:13 68:9 98:3,5 106:6 119:6,18 127:7 171:11,17	190:5 sites 124:9 sitting 38:13,18 69:13 157:9	soliloquy 199:22 199:23 200:4 214:11	southern 5:23 sp 33:10 space 20:22,25 183:18 184:2
similarity	152:12 153:4	situational 96:2 101:5 112:1 183:6	solutions 230:23 somebody 54:8,8 120:13 154:13 165:4 175:22 204:6	spat 144:24 speak 5:1,2,2 11:6 16:22 34:10 103:21 130:9 142:22
simple	97:16 101:7 127:13,25 128:21 130:15 131:5 133:5,12 137:22 169:8,14 170:16	six 62:10 125:15 141:14 194:2 210:16,17	someway 182:10 sorry 24:3 28:7 71:19 146:22 150:15 152:25	149:7 200:22 212:21
simply	54:9 79:14 124:24 135:24 138:7 223:18	skip 40:4 slides 23:6,10,16 23:17,19,21 24:3 24:7,11	220:9 225:13 220:9 225:13 165:7 175:10 187:20 192:14	speaking 79:11 79:12 87:14 130:22 139:8,21 158:9 189:13 195:20 196:18
simultaneous	87:14 139:8,21 189:13 195:20 196:18 197:7	slightly 72:16 97:19 166:13 185:9,11 209:10	sort 5:12 6:24,25 7:5,22 8:10	197:7 216:2,3 223:3
single	102:10 176:20 212:18 212:19,20	slim 221:20 slow 5:4 small 31:13 219:1,12,15	13:21 17:1,23 27:13 47:10 65:17 71:1 72:17 84:21	specialization 5:21,24
sir	33:3 156:11 188:11	226:21 227:7,10 227:10,11	86:1 90:22 97:16 100:21	specific 17:8 19:15 28:25 29:16 32:4 37:14 38:17
sit	29:17 38:21 49:1 73:16 75:14 76:21 93:15 99:21 166:20	smaller 207:8 226:13 snack 145:6 snuck 126:3 soccer 175:17,19	104:25 118:22 119:13 158:20 165:12,12 184:8 185:4 188:24 196:11	46:12 47:15 54:20 71:1 72:6 73:8 76:25 80:12 81:24 82:21 83:8
site	33:7 34:2 50:9,12 62:8,14 62:19 63:2 65:6 65:8,16 69:8 108:17 114:5,15	176:7,22 social 10:17 27:21 28:8 29:14,23 58:4 206:23 215:9	sound 61:4 63:24 209:18 sounds 8:9 85:22 199:8	84:16,16 88:21 89:1 100:24 110:2 124:11 144:11 150:17 165:1 173:12,13

[specific - street]

Page 48

210:10 220:9	166:23 167:7,19	94:19 131:14	step 74:17 122:9 159:17 160:17
222:6,16 226:8	169:18 170:14	167:9,10 171:22	stepped 75:4
specifically	172:5 173:3	182:23 183:10	stepping 45:10
27:12 32:15	190:16 209:17	193:12	steps 28:25 29:9 42:16
36:24 48:7	218:25 220:20	started 14:10	stick 42:10 50:2 70:19 98:12
84:14 86:9	224:6	starting 167:13 187:19	117:5 145:9
100:10 148:11	spots 8:15 219:5	starts 107:8	174:23
202:7,9 209:6	219:5 226:18,20	state 1:23 46:22	stites 2:9
specifics 38:1	squatters 40:6	46:24 47:4,9,11	stites.com 2:11
104:14	40:11 71:5	50:16 195:22	stolen 167:24 176:20
specified 6:8	st 6:2,20,21 14:5	201:11 229:8,16	stood 7:4
39:24 56:10	14:8,13	230:1,4	stop 45:9
98:10 111:11	stabblings 13:21	statement	storage 20:25 21:3
specify 90:12	172:14	153:15 176:17	store 14:8,13
speculate 157:9	stack 109:13,13	189:5,7,21	107:3 219:13
speculating 76:2	109:13	215:25 216:15	stores 21:13
136:14 137:8	staff 34:16 68:23	statements 46:10	86:17 107:1
speculation 43:4	148:8	states 1:1 81:21	127:8
75:10 77:17	standard 21:3	178:18,22	story 14:21
spend 9:8,11	39:13 56:9,19,22	stating 79:14	199:11
12:11 15:2 62:6	59:11 66:4 99:8	189:19	straight 114:12
178:3 204:22	102:7,22,23	stations 127:9	216:25
223:1	103:2,6,10,13	statistical	strange 182:18
spent 15:6 61:2	104:16,17,19	224:24 225:2,4	stranger 57:17
spilling 121:2	105:1,2,3,11,15	statistically	118:21,21
124:21	105:17 106:18	177:24 178:8	161:25 162:1
spirit 198:17	106:21 107:3	219:6,14 220:23	strangers 119:22
split 16:11	169:11 183:24	220:24 224:22	strategy 189:7
spot 88:20,21	184:18,18	stature 17:17	strawn 146:18
101:11,13,15	204:16 219:4	stay 20:17,21	street 2:9 6:7
102:7,17 112:19	224:8,12	38:23 148:12	13:15,15,17,23
120:5,6 150:4,6	standards 17:2,6	staying 54:2	230:23
150:10 151:7,13	104:20 183:14	steal 175:7	
151:20 152:2,6	standpoint 99:25	stenographically	
154:20 160:20	star 186:9	230:6	
160:23 161:13	staring 22:3		
161:15 162:24	start 26:4 27:14		
165:3,18,20	77:1 86:10		

[strike - switching]

Page 49

strike 17:8	submitted 15:25	summer 9:25	38:24 40:21
strip 219:13	19:7,18 20:7	12:14 53:22	41:10,12 42:13
strong 6:25 7:6	21:8 26:18,21	104:4 117:13	46:6 50:19
52:23,24 155:10	27:10	156:6,16,18	52:22,24 57:10
155:12 179:3	suborn 197:12	157:2,3	58:16 61:14
193:19,20 194:3	subpoena 3:6	summers 156:22	64:2,19 65:2,22
195:10	18:16 26:12	supermarket	66:20 70:8,18
students 23:4,9	27:6 30:25 31:7	81:17 83:20	71:16 72:11
23:23 106:16,17	31:22 33:6	86:10	74:7 80:10,11
106:21 184:19	43:25 54:13	supply 197:9	85:9 90:13
studies 82:18	111:11 158:11	support 9:4,10	93:14 97:19
124:1,2 179:25	158:23	9:12,14 14:1,4	103:25 108:4
180:2 218:12,23	subscribed	14:16 15:2,7,13	111:21 117:5,10
218:25 219:25	229:11	15:22 16:6,13	118:10 125:20
221:8 222:8	subselective	17:12 24:19	126:1,5 129:16
223:13 224:6,13	54:19	27:17 28:22	131:16 135:12
224:21 225:5,9	substance 80:13	29:19 38:17	142:25 148:19
225:20	168:8	47:8 68:25	151:5 152:4
study 57:18 81:2	substantial	116:24 118:8	156:15 157:1
157:12 220:21	147:18	121:4 124:16	160:22 163:4
225:6,7,12,18,18	substantive 87:5	183:19 184:3	174:4 176:15
225:19,19	substitute 179:5	supporting	181:24 184:14
stuff 13:21 18:25	sued 134:5	113:2	187:23 193:1
19:14 88:14	sufficient 53:14	supportive	196:10 198:11
156:9 221:4	suggest 177:15	215:16,19	210:15,19 213:6
222:10,24	179:3 197:10	suppose 14:24	214:13
stumble 142:6	216:13	17:14 21:10,12	surrounding
sub 30:13 100:9	suggesting 17:11	23:12 98:23	116:2 117:3,8
subject 53:4	suggestion 80:5	128:2,25 129:2	133:15 188:5
58:20 80:7	198:9	133:22 212:17	surveillance
102:3 120:21	suggests 100:17	212:22	113:6 178:13
121:22 124:17	103:11 105:25	supposed 32:7	183:20 184:3
148:22 193:10	suit 122:20	35:15 44:4	185:16
194:14,15	suite 1:24 2:4,10	216:21,24	survey 13:4
195:17	230:23	218:19	210:23 211:2
submit 20:10	summary 55:2	sure 4:20 5:5,17	suspect 169:3
25:20 26:24	100:21 107:21	11:18,18 15:18	switching 155:5
		19:8 30:6 35:22	

[sworn - tenure]

Page 50

sworn	4:3 39:23 219:23 224:10 224:13 229:11	30:20 54:11 63:1 86:1 107:1 134:12,13	teaching	9:18 11:21 23:23 106:15	183:9 192:6,17 198:2,8,12 212:5 218:2 221:3
syndicate	209:8	160:16 167:19	team	60:21	223:20 225:22
synonyms	97:18	167:23,24		86:14	telling 8:9 19:20
system	10:25 22:15 23:13 114:19,21 117:17 162:11 185:16	191:16 talked 18:5 36:23 50:18 55:18 143:2 185:20	technique	30:13 110:23 111:19 113:11	20:13 22:22 24:2 29:10,11 37:13 42:14
systematic	43:25 44:4 72:21	talking 4:18 8:23 18:23 37:22 45:2,11 46:12 51:16 53:6 59:22 69:11	techniques	28:18 30:8,10,14,16,18 30:20 81:24 82:2,21,24 83:8 100:9,11,23	43:9 49:21 61:25 67:1 74:24 80:25 83:23 94:9
systemic	72:18				117:19 118:1
systems	175:25		technologically	117:24	121:19 124:16 131:17 153:16
t					
t	83:1 225:12,16	78:19 96:9	teenagers	156:9	181:20 199:15
tactics	84:17	106:22 115:10	telep	225:11,14	201:6 204:2
take	11:1 16:19 33:14 34:18 35:25 42:16 48:15 63:6,9 69:4 89:1 104:13 108:5 142:4 145:4 169:4,17,19 170:20 175:23 176:7 183:9 188:9,13 189:14 197:11 201:14 206:3 221:11	119:2 130:9 134:23 154:6 156:8,8,13 165:22 179:11 190:25 191:1,2 191:22 194:19 216:5 217:2 224:10	telephone	2:5,11 33:23 45:19 88:11 230:24	tells 141:6 temporal 157:13 210:21
taken	1:21 4:10 10:21 66:15 67:13 212:18	tandem 89:24	telephonic	87:17	tenant 170:10
takes	85:21 206:21	targeted 181:23 181:23 182:1,19	tell	4:8 5:1,3,6 5:11,14 9:1,15 11:19,20 14:3,15 18:1 19:9 32:8	201:21 202:2 203:1,18 204:25 205:11 206:7 207:3 212:21,24
talk	7:3 14:1 27:15 28:13,15	targeting 137:5		36:7 53:19 65:3 65:9,11 66:2 68:3 70:9 71:10	213:8,9,14,21 tenants 37:17 94:21 129:1
		tasked 89:21	tasked	75:14 85:20,20 93:4 103:23	137:4 201:17 210:3,9 211:23
		taught 184:20		108:1 111:18 119:18 128:14	212:4 215:8,13
		tax 15:16		133:13 137:22	tend 110:20 180:6
		taxes 15:24		taylor 225:19	tends 13:14 156:6 220:25
				teach 9:2 11:23	tennessee 18:12
				11:25 12:1,2	tenure 6:1 12:7
				23:4 106:17,20	
				184:19	
				172:10 181:25	

[tenured - think]

Page 51

tenured 6:4	testifying 17:3,4	196:14,22	222:21 223:9
term 7:1 40:25	17:18 26:24	197:25 227:14	think 4:8,15 7:9
58:19 70:19	99:2 186:14	theatre 223:2	7:21 9:9 16:23
89:9,15 90:9	203:12	theft 13:20 162:7	18:11 20:8
98:21 99:10	testimony 18:19	162:18,23 163:2	21:13 22:21
102:21 104:16	25:25 26:13,22	163:3,13 164:9	26:16 27:12
106:3 115:17	36:19 39:23	168:8,9,11,12,18	29:4 30:7,18
160:4 174:1,9	42:12 44:8 46:1	168:23	31:25 34:12,15
181:3	46:2 47:24	thefts 163:7	34:20 36:23
terms 7:19 10:14	48:19 49:14,22	164:4,16	37:5,7 38:9,19
10:23 35:17	50:9,12 51:8	themes 111:15	39:12,18 43:9
47:5 48:12 85:2	52:3,5,12 67:2	theoretical 218:6	45:4 48:25
90:6,10 106:13	71:21 81:5	theoretically	49:21 50:10,13
106:14 127:8	108:13 122:1	120:11 128:24	50:18,24 51:2,10
129:10 130:19	148:23 149:6,24	129:2	56:2 58:25
142:9 149:4	151:1 152:21	theory 12:1	60:16,17 64:10
151:3 156:24	153:14 154:25	103:16,25 104:2	65:23 66:10,15
165:20 167:18	156:5 159:6	113:12	66:16,17,24 67:1
177:21 179:1	173:13,14	thereof 9:6	67:23 71:25
187:19 194:10	176:22 177:8	211:20	74:2,23,24 76:24
194:24 202:16	178:13,20	thereto 41:5	78:23,25 80:25
222:8 224:4	183:12 202:8	50:13	87:7 88:10,12,12
territorial	205:8 214:23	thing 16:22	90:7,20 91:3,10
183:19 184:3	230:9	50:11 87:3 88:9	93:1 94:4 95:3,5
test 113:11	texas 1:23,24 6:4	99:18 107:16	97:2,11,19,21
testified 4:3 6:11	9:23 10:11,25	116:15 141:24	99:8 100:13
38:15 46:7	193:11 195:22	148:20 176:20	103:16,24
50:24 51:2	201:4,5,11 230:1	185:1 191:19	104:11 106:10
107:23 110:23	230:4,24	192:25 201:22	109:1,24 111:11
149:14,16	text 41:14,18	things 8:14 30:9	114:20 115:14
156:11 160:6	42:1,25 109:21	36:15 37:24	115:18 116:15
173:6 187:12	textbook 154:20	38:5,6 55:18	116:16,25 117:5
205:23 210:2	154:24	84:13 86:15,17	117:18 118:1
212:1 216:1	textbooks 166:1	87:8 89:4 90:24	121:10,11,19
testify 16:5	texting 109:22	97:20 114:18	122:22 124:16
56:23 75:3	thank 6:17 32:20	130:21 133:17	128:11 131:16
105:16 131:20	33:4 98:13	166:19 183:16	131:17,18 132:5
161:22	160:10 173:15	183:17 187:1,16	136:8,19,24

[think - totality]

Page 52

137:20 141:24	thought 7:12	34:11 35:3	title 57:11
143:1,2,5 145:15	39:5 53:12	43:20 52:9	today 8:22 31:19
147:5,25 148:19	147:25 199:7	58:19 59:3,9	31:21 32:9,16
149:6,11 153:13	thousands 22:3	61:8,10,16,18,21	55:5,10 67:14
153:16 154:9,11	41:14 214:6	61:23 62:18	86:16 90:6
154:18 155:15	threat 144:16	64:25 66:6,7,7,9	108:7,11 115:10
155:16,17,24,25	threatened	66:11 70:23	135:18 146:7
156:8 159:3	78:14 79:24	76:5 90:18	149:17 159:6
160:12 162:4	three 9:19 16:10	91:13 95:17	161:4 185:20
163:18 164:6	28:17 40:2 52:5	96:2,12,20 100:3	198:24 199:1
167:22 168:16	56:5,8,9,10,13	101:12,21	206:10 212:7
171:24 172:4	56:15 58:15	103:13 116:3	today's 158:8,10
174:6,10,12,17	59:1,5,7,11,15	117:3 119:10	told 9:20 14:25
174:20,25	62:17 69:14	120:4,5 126:12	20:8 26:17 27:2
176:19 179:17	76:14 85:13	127:12 128:7	36:2,19 48:15,23
179:24 180:1	97:7 117:4	143:7,13 144:20	69:20 71:25
181:1,4,14,24	122:23 125:14	145:20 149:12	74:9,12 94:1
182:3 184:1,9,12	125:16 133:6	150:17 152:5	117:15 125:14
184:23 185:12	146:6 149:16,20	153:5 157:7	140:12 143:3
185:19 187:5	152:9,11,22	179:9 180:15	157:15 158:6
188:25 189:2	153:2,17 154:2	183:10 185:8	159:4,5 171:24
196:12,15	160:24 161:2,10	191:24 194:25	171:25 172:4
197:14,17	168:7 185:2	202:12,13	176:2 196:3,6
198:23 200:20	216:19 227:5	216:20 230:6,10	toledo 5:20
200:23 201:6	threshold 163:23	times 4:10 26:17	ton 222:19
202:16 204:24	threw 195:12	36:12 52:5	tool 134:13,15
205:13 207:1	throckmorton	58:11 62:23	178:14 179:2
208:8,22,23	230:23	74:9 88:21	tools 30:15
211:7 212:13	throughs 53:8	122:23 125:15	top 7:8,10 55:3
214:10,11	throw 196:24	131:25 133:6	128:14
215:15 222:15	throwing 178:3	137:21 138:6	topic 25:6
223:22,25 224:8	thrust 198:8	141:15 142:13	topics 90:16
225:6,7	timberwalk	149:17 161:3	total 60:23,25
thinking 11:19	195:23	164:18,21	61:21 75:15
138:13	time 4:16 6:18	182:12 198:24	totality 65:15
third 54:25	7:12 9:8,22,25	206:10	67:22 111:6
thoroughly	12:11 15:6 16:9	tired 141:17	207:22
196:13	20:7 21:10		

[totally - typo]

Page 53

totally 154:18	67:20	true 15:3 18:19	107:2 116:5
touched 166:22	transcripts	72:3 80:17	117:3 125:3
town 180:22	18:18 24:18	129:16 136:21	166:19 167:14
toya 114:12,14	25:1,8 40:20	138:19 148:6	169:23 175:7,13
176:8,11	transition	156:14 215:25	180:19 181:1,10
tpi 18:3,14 35:14	117:23	216:2,4 219:11	193:16 194:1,20
36:3,20 37:3	transitioned	230:8	194:21,22
39:1,10,21 40:9	148:13	try 5:3 28:6 31:7	195:11 197:20
40:23 41:8,13,17	transparent	123:8,20 180:18	202:14 208:8,12
41:24 43:1 44:3	198:18 199:20	192:16 223:23	216:19
60:3 63:22,25	trash 20:20	trying 12:12	type 55:3 62:12
64:4 71:3 90:22	21:23,23 169:5	22:20 53:18	101:21 103:3
91:1 92:3 94:17	travel 61:10,16	60:14 61:20	106:6 127:7
94:21 95:1	61:18,23	82:14 83:13	151:23 156:21
96:17 97:8	traveling 61:9	91:25 92:2,20,23	158:5 177:3,4
108:22 109:21	treat 221:7	99:3 100:21	types 13:13,22
110:4 114:22	treatment 221:5	112:12 119:12	53:19 59:14
115:2,25 116:25	221:6,9	121:11,20	72:7,9 177:5
117:12 155:19	trench 43:14	122:13 123:17	typeset 22:18
173:23 174:7,18	trends 75:5,7	128:9 131:17,20	typical 110:3
184:23 192:19	76:22 161:5,7	139:25 141:11	222:7
192:21 202:19	trial 24:18,21	145:24 148:24	typically 11:24
204:8 207:2	66:7 219:3	151:6 155:16	16:22 19:23
209:17 210:7	226:14	178:23 188:25	20:14 22:25
211:1 212:2	trials 226:18	192:1 195:1	26:7 32:10
214:19 215:1,11	triangulate	203:13 207:7	36:25 47:13,14
tpi's 39:17 42:14	50:15,20 51:7	221:3	53:24 56:13
43:10 79:1	triangulated	turn 27:13 33:5	61:11 83:14,16
99:23 107:11,14	44:8 50:8,13	43:24 63:4 81:9	84:7,18 96:11
107:22 213:23	triangulation	90:5 145:10	98:2 118:20
214:6	28:2,2,14 29:6	twice 150:25	119:2 120:2
track 15:15,16	29:13 48:21	196:3 208:11	121:9 124:1,8,10
15:19,23	100:6 113:10,10	two 11:20 21:24	124:13 161:25
traditional	tried 208:16	56:9,11,13,22	166:3,9 206:17
27:21	triers 218:16	57:22,25 58:15	226:19
training 99:6	tries 127:25	60:18 64:21	typo 179:17,20
transcript 25:9	trip 34:1 61:7	66:23 81:18	
25:10,12,13	62:9,15	88:5 97:22	

[u - verified]

Page 54

u	188:23 190:4 200:15,21 203:13 218:1,7 218:20 220:11 221:17 223:3 understanding 7:5 16:8 64:14 83:9 93:15 98:21,23 116:9 116:12,19 121:25 159:11 understood 24:1 26:23 65:10 122:12 124:18 undertake 116:1 117:2 undetectable 223:10 undetected 189:3 unfounded 198:16 ungated 177:20 178:1,11 unheard 222:25 uniform 112:5 162:10 218:9,24 222:1 224:4 uniformed 143:24 144:7 224:18 unit 40:5 71:5 103:12,18 104:11 182:8 united 1:1 178:17,21 units 81:20 88:7 182:5	university 5:19 5:20,23 6:1,3,21 9:23 10:3,8,11 10:15,18,25 11:3 11:6,8,13 17:15 university's 89:10 unjustified 174:18 175:2 unknown 169:3 unlocked 216:18 217:4 unquote 115:7 unreasonable 174:4 unremarkable 224:14 unusual 223:1 upgrading 185:16 uploaded 57:9 184:16 ups 46:19 urban 13:24 use 23:4 24:13 24:16 25:23 34:22 58:19,24 59:5 66:4 82:17 84:1 90:6,9,10 90:18,20 97:20 97:25 98:25 99:4,17 100:23 101:19 102:15 102:21 103:5 104:16 106:3,14 111:18 113:11 150:6 174:22 181:9 182:3	192:21 useful 200:23 217:25 users 70:6 usual 4:9 ut 10:25 22:6 23:4,9 89:12 utd 89:24 utility 151:7 v v.m.f. 1:6 vacant 40:5,10 71:5 vague 198:15 vaguely 186:16 value 48:17 178:16 213:1 variables 13:7 102:19 119:9,16 120:18 130:17 137:6 variance 184:5 variety 37:24 various 49:22 86:17 90:2 99:11 100:9 102:19 128:1,2 135:4 142:4 218:23 223:14 vehicle 13:20 162:7,18,23 164:3,9 venue 172:20 verbal 83:14 verbally 83:24 verified 45:25 165:11
----------	--	---	---

[verify - want]

Page 55

verify 113:14	71:13,24 72:2,10	220:18,19,20,25	virtual 185:17
veritext 31:2	72:13,24 73:5,11	221:9 223:14	virtually 49:17
230:23	73:14,22 74:20	224:22 225:21	102:8
versa 52:8	75:8,19,25 76:15	226:1	visibility 144:14
verse 99:21	88:23,25 92:13	violent 12:3	visit 50:10,12
120:16	93:20 94:14	13:23 53:3,13,15	61:12 62:9,15,19
version 22:14,16	102:5 105:25	57:17 76:9,10	63:2 65:6,8 69:8
22:19 49:23	110:19 118:15	93:6,21 94:7,22	141:25 142:9
176:8,12	118:18,21 119:4	100:1 101:11,12	vs 1:8
versions 19:5	119:21 121:16	106:22 110:11	vulnerability
20:4	121:21,23	112:22 113:4	84:15
versus 120:9	122:14,15 123:9	118:14 119:23	w
177:20 179:12	123:21 124:7,9	121:2 124:21	w 2:8 57:19
182:1 219:5	131:8,22 132:14	133:1 146:21	wait 22:10
veteran 49:15	132:19 134:2,13	147:11,12,14,24	138:23 193:22
77:23	134:14,19	150:13,16 151:3	213:3,3,3
vice 52:8	135:10,14	151:16 152:12	walk 16:18
vicinity 188:8	136:10 140:20	156:18,22	112:16 167:17
victim 101:22	140:21 141:9	162:14,19 163:8	218:22 219:20
120:2 147:4,4	145:16,19 146:3	163:14,21,22	walked 46:7
162:2 170:12,17	147:19 151:17	164:2,4,8,10,17	216:18
188:7 190:4	154:22 156:10	164:20,25	walking 46:17
victimization	156:15,16,25	166:16 169:10	wandering
13:5,10	158:4 161:6,16	169:15,16,25	217:4
victimized 226:4	161:20,24,25	170:17 172:12	want 16:19
victimless 11:23	162:5 163:10,13	172:18 174:21	27:13 30:21
victims 226:4	164:13,22 165:9	175:4 177:2,4,5	32:18 38:24
view 14:12 37:19	165:15,21,24,24	177:7,10 178:21	54:12 55:10,14
52:20 53:1	166:3,15,17,25	179:23 181:2,14	57:11 65:22
118:25 130:19	167:4 168:13,21	185:13 187:19	69:19 70:19
133:8 163:12	176:4 178:17	188:18 191:5,6	74:7 81:2,9,22
172:5 201:19	179:2,4,18 180:4	191:14,16,23,25	85:25 96:7
220:12 224:17	180:9,11 185:17	192:7,9,18,20	105:10,10
views 116:19	185:18 187:9	193:10 218:21	106:13 110:9,12
violate 203:9	190:14 191:2	219:4 220:8,15	116:23 118:3
violence 6:8	193:3 194:11	221:20 223:6	121:1 124:10
13:16,18 59:10	216:9 218:10	224:19,19 227:1	127:6 134:7
69:23 70:2,17	219:15,22	227:5	

[want - written]

Page 56

137:18,25	watters 1:23	wetting 19:21	words 5:15 67:2
138:14 140:17	way 4:23 17:8	160:5	68:16 87:23
141:17,20 145:4	21:19 24:5 31:3	whatsoever 80:5	103:9 134:1
145:11,14	59:14 62:2,12	203:8	155:5 163:12
151:15 153:13	76:21 85:21	wholly 130:13	work 8:10 10:18
157:9,9 160:2,8	123:15 137:10	widely 28:8	11:16 14:2
167:5,9,17	143:20 144:1	willing 158:10	22:23 30:22
176:24 180:18	153:14 177:14	159:20	33:1 36:11
186:25 187:16	185:8 192:5	window 96:12	58:10 83:25
187:23 189:2	196:20,20 197:3	96:15 175:18,20	106:15 123:24
201:2 207:6,8	199:17 204:22	176:10,19,23	145:14 157:10
209:14 214:3	ways 30:17 72:5	winter 63:23	158:16,18
221:15 225:9	weak 129:21	wire 128:14	159:15 160:14
wanted 4:22	weapon 101:22	130:4 133:20	223:9,17
22:16 28:16	120:2 169:9,14	withdraw 79:7,9	worked 8:6,13
35:1 137:16,23	170:1,16	withheld 79:19	18:6,10,13 89:23
140:15 148:8,9	weather 157:4	witness 1:20 3:1	working 12:11
149:5 190:3	week 9:12,16	10:13 79:20	13:3,9 36:10
193:9 204:22	15:1,10 52:6	140:3 144:19	61:3,19,24 141:3
213:19	64:21 102:13,14	200:1 227:16	158:17 180:23
wants 25:16	143:4 154:20	228:2 229:4,12	works 21:19
83:22 173:17	185:3 194:25	230:7,9	world 58:6
warm 157:4	219:2	witnesses 49:23	219:11,16
warn 210:3,8	weekends	66:21	worth 153:3
warning 90:23	154:19	wonder 219:10	161:3 230:24
warrant 112:18	weeks 96:23	wondering 8:13	write 19:11 22:8
145:19 174:22	184:17	29:2,15 69:24	22:24,24 69:2,5
174:22	weigh 78:3	92:7 155:15	194:10 201:13
warranted	weight 170:3	166:12 222:17	215:22
100:17 153:8	went 14:23	word 18:17 31:1	writing 68:17
warranting	74:25 125:16	31:15 70:21,23	69:10,11 76:20
154:4	138:24 141:25	90:18 98:25	84:18
warrants 8:2	154:18 169:4	117:9 131:1	written 10:16,19
waste 174:6	195:16 201:3	139:7 150:6	19:12 23:3,7
watch 215:7,12	202:13 205:5,19	164:14 174:22	25:4 28:19,23,24
watershed	west 187:23	182:3 188:9,11	29:3,8 58:4
195:22	188:1,5	188:13	83:17,25 84:21
			84:24 85:2,4,16

[written - zoom]

Page 57

	y	227:1,5 years 6:12 8:1 12:21 16:10 38:16 40:3 55:23 56:9,10,11 56:13,16 58:15 58:15 59:1 76:14 84:22,23 96:24 97:7 117:4 125:17 146:6 148:2 149:16 152:22 153:2,17 159:4 160:24 161:2 169:23 184:20 193:16 194:2,20 194:21,22 youngest 66:23
	z	z 51:18 75:24,25 144:12,13 zamora 66:23 zeroed 153:18 zoom 2:3
	x	year 11:20 12:10 15:1,4 23:23,24 47:20 49:15 56:5,8,22 57:22 57:25 59:5,7,11 59:15 77:23 89:9,15 102:11 146:21,25 149:20 151:4 152:9,11 154:2 160:25 168:7 185:18 193:18 193:19 208:8,12

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.